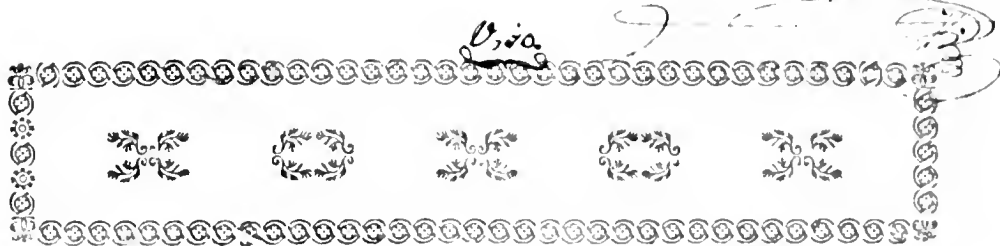


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*This Act given us by the Grimsby
Haven - Company &c*



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F O R

Widening, Deepening, Enlarging, Altering, and
Improving the Haven of the Town and Port of
Great Grimsby, in the County of *Lincoln*.

***** WHEREAS the River or Haven within the Port or Mem-
ber Port of *Great Grimsby*, in the County of *Lincoln*, is so
warped and silted up, as not only to render it no longer
practicable for Ships to navigate so far up the same as to
reach the Place or Places, Quays or Wharfs, which have
been assigned and appointed for the landing or discharging, lading
or unlading of Goods, Wares, or Merchandize within the said Port,
but to be navigable for Sloops only, and at certain Times of the Tide;
but if the said River, or Haven were widened, deepened, and ren-
dered more straight, and the Course and Direction thereof in Part varied;
and also if a Lock were to be erected and fixed therein for pounding up a
sufficient Quantity or Depth of Water, and other Works made for the
Improvement thereof; and if for the supplying the same with an addi-
tional Quantity of Land Water, and the better scouring out and keeping
open the Ourfall of the said Haven into the River *Humber*, the Water of
a certain Beck called *Freshney*, which runs in or between the Two ad-
joining

Practicable.

A

joining Parishes of *Great Coates* and *Little Coates*, in the said County of *Lincoln*, and in or between *Great Coates* and *Great Grimsby* aforesaid, were conveyed into the said Haven, it would admit, and much more constantly, Vessels of a considerably larger Burthen, whereby the Trade and Commerce of the said Town and Port of *Great Grimsby* would be restored and considerably increased, and the Public in general greatly benefitted; and in Cases of strong North East Winds would afford a very safe and convenient Retreat for Coasters and other Ships and Vessels, as well navigating the *German Ocean* as the River *Humber*, and for Want whereof a great many Ships have been greatly damaged, and others totally lost :

And whereas the several Persons hereinafter named are desirous, at their own proper Charge and Expence, to widen, deepen, and straighten the said Haven, and to divert in Part the Course and Direction thereof, and also to make, complete, and maintain all such other Works and Things as aforesaid for the Improvement thereof; but cannot effect the same without the Aid and Authority of Parliament :

May it therefore please Your MAJESTY,

That it may be Enacted; And be it Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Right honourable *Charles Lord Darborough*, Sir *John Nelthorpe*, Baronet; *George Robert Heneage*, *Ayscoghe Beucherett*, *George Tennyson*, *Thomas Dixon*, *Henry Ellison*, *John Ellison* and *George Parker*, *William Hornby*, *Richard Bassett*, *William Holgate* and *Joseph Annington*, Esquires; Lieutenant Colonel *John Henry Left*, the Reverend *Charles Weston*, *Marmaduke Alington*, *William Thorold*, *John Grantham*, *John Parkinson of Healing*, *John Searle*, *Francis Swan*, and *Charles Wray Haddelsey*, Clerks; the Mayor and Burgesses of the Borough of *Great Grimsby*, the Royal Friendly Society of *Great Grimsby*, *Joseph Ashton*, *George Babb*, *William Bancroft*, *Christopher Bell*, *Appleton Benison*, *Richard Borman*, *John Borman*, *William Botterill*, *Samuel Bourn*, *John Simon Brandstrom* and *Frederic Kusef*, *John Codd*, *Robert Cooke*, *John Cortis*, *Christopher Epworth*, *Gilbert Farr*, *Henry Wallis Farr*, *Edward Hackford*, *William Hardy*, *Thomas Hewson*, *Edward Holgate*, *John Hault*, *Joseph Johnson*, *William Joys*, *James Kerr*, *William King*, *John Left*, *William Lost*, *John Lloyd*, *William Ludlam*, *William Lumby*, *Charles Manby*, *Thomas Marsh*, *John Mills*, *George Moore*, *Richard Nell Junior*, *Gabriel Neve*, *Richard Nicholson*, *John Nicholson*, *Robert Parkinson*, of *Healing*, *Joseph Philipson*, *John Raisbeck*, *William Richardson*, *Maurice Searle*,
William

William Smelle, Tyrwhit Smith, Philip Skipworth, Robert Story, Henry Swan, Richard Taylor, John Turner, Joseph Waite, John Waleaby, Thomas Wal-kington, William Watson, and George Wilecockson, Gentlemen, and Elizabeth Willson, Spinster, and their several and respective Executors, Administra-tors, Successors, and Assigns, together with such other Person or Persons, Bodies Corporate and Politic, who shall at any Time hereafter be possessed of One or more Share or Shares of or in the Money to be raised under or by Authority of this Act, for the several Purposes herein mentioned, are, and shall be united into a Company, with full Power and Authority from Time to Time to direct the enlarging, straightening, altering, varying, improving, supporting, and maintaining the said Haven, and the Quay or Wharf adjoining thereto, and also such Locks, Piers, or Jetties, Sluices, Aqueducts, Culverts, Weirs, Bridges, Towing Paths, Dams, Trenches, Cuts, or Drains, Toll House, and Warehouse, and for mak-ing, completing, and maintaining all such other Works, Requisites, Matters, and Things, as shall or may be necessary for carrying this Act into full and complete Execution, according to the several Rules, Orders, and Directions, and under and subject to the several Provisions, Regula-tions, and Restrictions hereinafter mentioned, expressed, and contained, and shall for that Purpose be One Body Politic and Corporate by the Name of "The Grimby Haven Company," and by that Name shall have perpetual Succession, and a Common Seal, and by that Name shall and may sue and be sued; and also shall have full Power and Authority to purchase Lands, Tenements, and Hereditaments to them, and their Suc-cessors and Assigns, for the Use of the said Works or Undertaking, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain; and also to sell, convey, or exchange any of the Lands, Te-nements, or Hereditaments to be so purchased as and for the Purposes aforesaid; and any Person or Persons, or Bodies Politic, Corporate, or Collegiate, may give, grant, bargain, sell, or convey to the said Com-pany, any Lands, Tenements, or Hereditaments, for the Use of the said Works or Undertaking, without Licence of Alienation.

Proprietors
incorporated.

And be it further Enacted, That there shall be One Annual Ge-neral Assembly or Meeting of the said Haven Company, or Company of Proprietors, for carrying this Act into Execution, the First of which Meetings shall be holden at the *Granby Inn*, in *Great Grimby* aforesaid, upon that Day Four Weeks next after the passing of this Act; and the like General Assembly or Meeting shall be held on the Second *Monday* in *September* in every Year for the future, at or before the Hour of Eleven of the Clock in the Forenoon, at such Place as shall from Time to Time be ascertained and fixed at any preceding General Meeting; of which said First and every subsequent General Meeting, public Notice shall be given

General As-
sembly of the
Company,
First Meeting.

Subsequent
Meetings.

Notice thereof
to be given.

in

Empowered to
adjourn, and
order a Com-
mon Seal;

to audit
Accounts.

Company to
appoint a
Chairman,

Committee to
be chosen.

in the *Lincoln* and *Stamford* News-paper, or in some other News-paper which shall at that Time be circulated in the County of *Lincoln*, and shall also be published or given in such other Manner as the said General Assembly shall direct, at least Fourteen Days before such Meeting; each of which said General Assemblies shall have Power and Authority to adjourn themselves from Time to Time, and from Place to Place, as they shall think proper, until the Time of holding the next Annual General Assembly, on the Second *Monday* in *September*; and any such General Assembly shall have Power to order a Common Seal to be made, and from Time to Time to alter and change the same, and also to call for, audit, and settle all Accounts of Monies received, laid out, and disbursed for or on Account of the said Undertaking, by all Officers and other Persons appointed or employed by or under the said Company in and about the said Undertaking, and to do and transact all other Business respecting or in anywise relating to or concerning the same Undertaking, and all and every or any of the Works, Matters, and Things by this Act directed or authorized to be done.

And be it further Enacted, That the said Company at their said First Meeting, and afterwards Annually at their Annual General Assembly or Meeting, shall elect a Chairman to preside at such Meetings, who shall continue in his Office for the Space of One Year, and shall not afterwards be disqualified from being re-elected; and in case of the Death or Resignation of such Chairman before the regular Determination of his Office, the said Company, at their next General or Special Meeting to be holden next after such Death or Resignation shall have taken place, and before any other Business shall be introduced, done, or transacted at any such next General or Special Meeting, shall elect and chuse from amongst themselves some other Person in the Room and Place of the Person whose Office shall so have become vacant as aforesaid, and the Person so elected as last-mentioned shall continue in such Office during the whole Time the Person whose Office shall so have become vacant would otherwise have been entitled to have continued therein; and in case at any such General or Special Assembly to be holden under or by virtue of this Act, such Chairman so appointed shall not attend, the Proprietors and Proxies then present, or the major Part of them, shall appoint from amongst themselves some other Person to be and act at such Meeting or Assembly as Deputy Chairman in the Room and Place of such absent Chairman, and so from Time to Time when and so often as the Case shall happen.

And be it further Enacted, That the said Company shall, and they are hereby authorized and required, at their said First Meeting, or at some subsequent Meeting, as soon afterwards as conveniently may be, and in like

like Manner at the Annual General Assembly or Meeting, to chuse, nominate, and appoint, not more than Nine nor less than Three Persons from amongst themselves, to be a Committee for the several Purposes hereinafter mentioned; and in case any of the said Committee so to be appointed, shall, before the Expiration of the Term for which they shall be respectively chosen, die or refuse to act, or shall remove to any remote or other Situation, so as to render his Attendance inconvenient, then and in every such Case respectively, it shall be lawful for the Remainder of the said Committee, or the major Part of them, and they are hereby required from Time to Time, within Two Calendar Months next after such Death, Refusal to act, or Removal shall be known, to elect, nominate, and appoint One other Person from amongst the said several Proprietors in the Room and Stead of such Person so dying, refusing to act, or removing, and every Person so chosen to be of the said Committee, shall have the like Power and Authority as the Person in whose Place and Stead he shall be so chosen was vested with; and in Order to defray the Expence of their Meetings, it shall and may be lawful for the said Committees, and they are hereby allowed to expend or detain to themselves a reasonable Sum of Money out of the capital Stock of the said Proprietors, for their Expences in attending all and every such Meetings.

Vacancies by Death, &c. to be supplied.

And be it further Enacted, That in all Cases where any Power is given to or vested in the said Committee, or any Act directed to be done by them at any Meeting for carrying into Execution any of the Powers given by this Act, the Opinion, Determination, or Judgment of the major Part of the Members authorized to form such Meeting, shall be taken and considered as the Act and Judgment of the whole Body so assembled: Provided always, that no Resolution shall be taken or Business done (except for the Purpose of Adjournment) at any of the Meetings of the said Committee, unless Three Persons at least of such Committee shall be present, and the Committee shall at all their Meetings, before they proceed to any other Business, elect a Chairman of such Meeting, and that no Member, although he may be a Proprietor of Two or more Shares in the said Haven Navigation, shall have more than one Vote in the said Committee except the Chairman, who shall be chosen by and out of the said Committee as aforesaid, and who in case of an Equality of Votes upon any Question agitated in the said Committee, shall have the casting Vote, although he shall have given one Vote before; and no Person holding any Place, Office, or Employment under the said Company, shall be capable of being chosen to serve upon any Committee during the Time of his Continuance in such Place, Office, or Employment.

The Act of the Majority of the Committee to be binding;

but not less than Three for doing Business.

Each Member to have but One Vote, except Chairman, &c.

Persons holding Places, &c. under the Company not to be upon the Committee.

Meetings of
Committees,

the same may
be adjourned.

And be it further Enacted, That the said Committee so to be chosen as aforesaid, or such of them as shall be present at the General Assembly when they shall be chosen, shall and may fix a Time and Place for the First Meeting of the said Committee, and they may at such First and every other Meeting execute all and every or any of the Powers and Authorities hereby vested in the said Committee, and from Time to Time adjourn the same, and all other Meetings to be so held by them, as they shall think fit; and if at any Place appointed for such Meeting, Three or more of such Committee shall not appear within Two Hours of the Time fixed for holding such Meeting, any One or more of the said Committee who may be then present, or in case of the Non-attendance of every of them, then the Clerk for the Time being to the said Company, shall and may, and is and are hereby authorized to adjourn the Meeting of the said Committee, to be held at the same Place or within the same Town, between the Hours of Ten of the Clock in the Forenoon, and Two in the Afternoon, on such Day as he or they so making such Adjournment shall think proper, so as the same be within One Calendar Month next afterwards, of which Time and Place of Adjournment Notice shall be forthwith given to such of the said Committee who shall happen not to have been present at the Time of making such Adjournment; and if no such Adjournment shall be made, then and in such Case any Three or more of such Committee may, by Advertisement in the said *Lincoln* and *Stamford* News-paper, or any other News-paper then in Circulation in the said County of *Lincoln*, appoint another Meeting of the said Committee, to be held at such Place as they shall appoint, at any Time not sooner than Ten Days, nor later than Twenty Days after such Notice, and so from Time to Time as often as the Case may happen.

Committee
impowered to
make Calls for
Money;

and to make
Contracts, and
manage all the
Affairs of the
Company.

And be it further Enacted, That the said Committee shall, and they are hereby authorized and impowered, from Time to Time, to make such Call or Calls of Money from the Treasurer or Treasurers to the said Company, for defraying the Expences of or carrying on the Works of the said Undertaking, as they from Time to Time shall find wanting and necessary for that Purpose, and to appoint and direct to whom and in what Manner the same shall be paid on Account thereof; and they are also hereby invested with full Power and Authority to direct and manage all and every the Affairs of the said Company, as well in contracting for the Sale or Purchase of or otherwise agreeing for any Lands, Tenements, Hereditaments, Dues, Rights, and Liberties, for the Use or Benefit of the said Company or Undertaking, as in placing and displacing under Officers, Servants, and Agents, and in contracting and agreeing with any Workmen, Artificers, or other Persons whomsoever, for the making and doing all and every or any Part of the Work or Business

Business to be done in or about the enlarging, straightening, and improving the said Haven, and other the Works for improving, completing, and preserving the Navigation thereof; and also with any Person or Persons for Timber, Stones, or other Materials which shall be wanted in and for all or any of such several Works and Purposes, as shall from Time to Time be respectively directed by the said Company to be done and performed by virtue and in pursuance of this Act; every such Contract to be reduced into Writing, which shall specify the several Works to be done, the Prices to be paid for the same, and the Time or Times when or within which the said Works are to be done and completed, and the Forfeitures or Penalties to be incurred and paid for or in respect of any Breach or Non-performance of such Contract; and being signed by the said Committee, and by such Person or Persons with whom they shall so contract or agree, shall be valid and effectual in the Law, and carried into Execution; and the due and complete Performance thereof shall and may be enforced by Action at Law or otherwise, by and in the Name or Names, and at the Suit of or against the said Company, or the said Committee for the Time being, or either of them, and the Person or Persons so contracting, his, her, or their Executors or Administrators, according to the Tenor and true Meaning thereof; and in all Cases where any pecuniary Penalties shall be recovered of or from any Contractor or Contractors, the same shall be paid to the Treasurer appointed by virtue of this Act, and applied for the Purposes of carrying on and supporting the Works directed by this Act; and the said Committee by themselves, or the Clerk to the said Company, shall keep a full and true Account of all Monies disbursed, and Payments made by them, and by all and every Person and Persons employed by or under them, and of all and every Sum and Sums of Money which they shall receive on Behalf or in respect of such Haven, Navigation, and Undertaking, from any Collector of the said Rates or other Officer, or from any other Person or Persons whomsoever employed in or having any Concern, Dealing, or Transaction with the said Haven, Navigation, and Undertaking, or in or with any Part or Parts thereof, and shall regularly, by themselves or the said Clerk, write, insert, and enter in a Book or Books, to be from Time to Time provided at the Expence of the said Company for that Purpose, Notes, Minutes, or Copies (as the Case shall require) of every such Contract, Bargain, Receipt, and Disbursement, and of all other their Orders and Proceedings, which Book or Books shall be deposited with and kept locked up under the Care and Direction of the said Committee, but to which the said Company, and every Member thereof, shall have free Access for his, her, or their Inspection, without Fee or Reward.

Provided

Committee
may compound
Penalties of
Contracts.

Provided always, and it is hereby further Enacted and Declared, That it shall be lawful for the said Committee, from Time to Time, as they shall think fit, to compound and agree with any Person or Persons against whom any Action or Actions, Suit or Suits, shall or may have been brought for any Penalty or Penalties on Account of any Breach or Non-performance of any such Contract or Contracts, for such Sum or Sums of Money as they the said Committee shall think proper, so as the Sum so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Non-performance of such Contract or Contracts, and all the Costs, Charges, and Expences which shall or may have been incurred or occasioned thereby.

Committee
may make Bye
Laws, &c.

And be it further Enacted, That it shall be lawful for the said Committee, from Time to Time, to make and frame, ordain, and establish such Bye Laws, Rules, Regulations, Orders, and Ordinances, as they shall think fit, for the good Government of the Clerks, Collectors, Haven Master, Assistants, Servants, and others appointed or employed under or by virtue of this Act, and for the better regulating of the said Haven, Lock, and other Works, and the mooring and stationing of Vessels there, and for the well governing, ordering, and managing of the Officers, Crew, Boatmen, and Servants employed therein, and for the Relief and Assistance of the Ships and Vessels resorting to or seeking Shelter at, or in the said Haven; and also for the better regulating, governing, managing, and using the several Works, Matters, and Things by this Act authorized and directed to be made, done, and performed, as well whilst the same are doing as after they shall be finished, and for the more safe and convenient shipping and lading, landing and discharging, carrying and conveying, laying and depositing of Goods, Wares, and Merchandize upon, to, or from the said Quays or Wharfs, and for the better governing and regulating Porters, Carters, and Carmen, and others carrying Goods, or using or driving Horses, Waggons, Carts, Drays, Trucks, Sledges, or other Carriages for conveying Goods, Wares, or Merchandize to or from the said Quays or Wharfs, and for preventing Damage being done to any such Goods, Wares, or Merchandize by the issuing of Water through Spouts from Houses or Buildings; and also from Time to Time, as they the said Committee shall see Occasion, to repeal, add to, amend, or alter such Bye Laws, Rules, and Orders, and to annex and appoint reasonable pecuniary Penalties, not exceeding Forty Shillings, for the Non-obervance, Non-performance, or other Breach of any of such Bye Laws, Rules, and Orders, or any Part of them, and also to make such other Orders, Rules, and Regulations as shall be necessary or expedient for all and every other the Purposes of this Act, and the due Execution thereof;

thereof; and all such Penalties shall be levied and recovered in such Manner as hereinafter is directed.

Provided always, That it shall be lawful for the said Company, at any Annual or other General Meeting, or any Special Meeting to be assembled for such Purpose, of which Fourteen Days public Notice shall be given in like Manner as aforesaid, to remove or displace any Person or Persons chosen to be of such Committee as aforesaid, or any Officer or Officers under them, and to choose and appoint new ones in their Place and Stead; and also to inspect and consider the Bye Laws, Rules, and Orders made by the said Committee, and if they shall see fit to repeal, annul, add to, amend, or alter them, or any of them, or any Part thereof, and to make and frame others for any of the Purposes of this Act, or the complete and effectual Execution thereof; and all and every such Bye Laws, Rules, and Orders which shall be so altered or made by the said Company, at any such General or Special Meeting, may from Time to Time, and at any Time afterwards, be varied, altered, or repealed, and others made in Stead thereof, at any General Meeting of the said Company, but not by the said Committee or otherwise.

Company may remove Members of the Committee, and inspect, and annul, or alter the Bye Laws made by Committee, and make others.

And it is further Enacted, That all and every such Bye Laws, Rules, and Orders as shall be so made and framed, or ordained and established by the said Company, and also by the said Committee for the Time being, and which shall not be repealed, annulled, altered, or varied by the said Company as aforesaid, shall respectively be observed and kept, and carried into Execution, and shall have the same Force, Operation, and Effect, to all Intents and Purposes, as if the same were respectively enacted and declared by this Act, and shall be sufficient in any Court of Law or Equity for the Justification and Indemnification of all Persons who shall act under or enforce the same, so as the said Bye Laws, Rules, and Orders, or any of them, be not contrary to any express Clause or Provision in this Act contained, or the general Law of this Realm; and the said Committee for the Time being shall, and they are hereby required to cause true Copies of all such Bye Laws, Rules, and Orders, or of so much thereof as shall concern or relate to the Regulation and Management of the said Haven, Lock, and other Works, or of any Officers, Servants, Labourers, or Assistants, or other Persons employed in or about the same, or of the Persons resorting to or making use thereof, to be written or printed in large Characters, and affixed upon or near to some public and conspicuous Part of each Quay or Wharf, and also upon some other public and conspicuous Place in the said Town of *Great Grimsby*.

Bye Laws, &c. to have the same Efficacy as if enacted.

Copies of some of them to be fixed on the Quays, and in the Town.

General Meetings to be adjourned, if not Proprietors or Proxies of 50 Shares present.

If at Adjournment there be less than required then Adjournment votes quorues.

Penalty on Principals not attending by themselves or Proxies, in consequence whereof Meetings are lost.

And be it further Enacted, That if at such First General Meeting of the said Company to be held as aforesaid, or at any future General Assembly hereby directed or authorized to be held, there shall not be present within Three Hours after the Time fixed for holding the same, Persons who either as Proprietors or Proxies shall together have Fifty Shares, no Election or Appointment of a Chairman or Committee, or other Business shall be made, done, or transacted, but such Assembly or Meeting shall be adjourned to such Time and Place, within Twenty-one Days next afterwards, as the said Proprietors and Proxies present, or the major Part of them, shall appoint, at which adjourned Meeting the Choice of the said Chairman and Committee shall be respectively made, and all other Matters and Things shall be transacted which might or ought to have been done at such General Assemblies to be held as hereinbefore directed; and all Acts done in pursuance of this Act by the said Company at such General Assemblies or Meetings, shall be determined by a Majority of the Proprietors and Proxies then present, and shall be valid and conclusive upon such Majority concurring therein; and in all Cases where the Number shall be equal, the Chairman for the Time being, or the Person supplying his Place as aforesaid, shall have the casting Vote; but if at any such adjourned Assembly Proprietors of or Proxies for or to the Amount or Extent of Fifty Shares in the Whole shall not attend, then nothing more shall be done or transacted but adjourning the said Meeting to the same or some other Place, to be held within Twenty-one Days thence next ensuing, and so from Time to Time until Proprietors holding in their own Rights and as Proxies Fifty Shares shall assemble and be present together, when the several Matters and Things which might have been done and transacted at the former Assemblies, if a sufficient Number of Proprietors had attended, may be done, performed, and executed at such adjourned Assembly or Meeting, such public Notice of every such Meeting to be so held by or in consequence of any such Adjournment as aforesaid, having been First given as is directed and required with respect to the said other General Assemblies or Meetings; and in case there shall not appear at the Time and Place appointed for holding any such General Assembly as aforesaid, Proprietors holding in their own Right or as Proxies Fifty Shares, each and every of the Principals who shall not be present at such Assembly by himself or herself, or his or her Proxy, before the Adjournment thereof, shall forfeit to the said Company for every such Share which he, she, or they shall then have in the said Haven Navigation and Undertaking, the Sum of Ten Shillings, to be deducted out of the next Dividend of the Profits of the said Undertaking.

And

And be it further Enacted, That if at any Time it shall appear to Twenty or more of the Proprietors, possessing amongst them Fifty Shares at the least, that for the more effectually carrying this Act into Execution a Special Meeting of the said Company is necessary to be held, it shall be lawful for such Twenty or more Proprietors, to cause Notice thereof to be given in the Manner hereinbefore mentioned, or otherwise as any General Meeting shall direct and appoint, declaring in such Notice the Place where and the Time when such Meeting is to be held, the same not being less than Ten or more than Twenty-one Days after such Notice given, and also specifying in such Notice the Reason for and Intention of every such Meeting, and the Proprietors by themselves and Proxies are hereby authorized to meet pursuant to such Notice; and in case Twenty in Number of such Proprietors, possessing at least Seventy-five Shares, shall by themselves or Proxies so meet and assemble together, then such Proprietors (but not otherwise) shall and may proceed to the Execution of the Powers by this Act given them, with respect to the Matters and Things so specified only; and all such Acts of the said Proprietors, or the major Part of them in Value, at such Meeting assembled, shall be as valid and effectual as if the same were done at any General Assembly held in the Manner hereinbefore appointed.

Special General
Assemblies.

And be it further Enacted, That it shall be lawful for the said Company, and they are hereby authorized and impowered, from and after the passing of this Act, by themselves, their Deputies, Agents, Officers, Workmen, Servants, and Assistants, to widen, deepen, and render more straight and convenient, by new Cuts or otherwise, the said Haven extending from the Two Sluices or Bridges in the Port of *Great Grimsby* aforesaid, to or near to a certain Place called the *Coal Hill*, in the Parish of *Great Grimsby* aforesaid, and to vary or alter the said Haven by making a new Cut from thence into the said River *Humber*, so as at low Water Mark in the said River there may be a greater Depth of Water at the intended Mouth or Entrance into the said Haven when so altered, than there now is at the Mouth of the said Haven in its present State; and in order to improve and complete the Navigation of the said Haven, and the several other Works by this Act authorized to be done and executed, the said Company shall and may, and are hereby impowered, by themselves, their Deputies, Officers, Agents, Workmen, Servants, and Assistants, to dig and cut or raise the Banks of the said Haven where the same shall be necessary, and also to cut and make use of the Soil of any Person or Persons, Bodies Politic, Corporate, or Collegiate, in doing such Works or accomplishing such Purposes as aforesaid; and also to dig up, remove, and take away all
Beds

Company im-
powered to
make the several necessary
Works for the
Improvement
of the Navigation
of the
Haven.

Beds of Earth, Gravel, Clay, or Sand, and all other Obstructions and Impediments whatsoever which may hinder or prevent Rafts, Boats, Lighters, Sloops, Ships, or other Vessels, from being navigated or towed up the said Haven, so as to make and maintain a complete and effectual Navigation at common Neap Tides, between the said River *Humber* and the Part or Place in the said Haven when so varied or altered, where a Lock is intended to be erected and fixed for Ships or other Vessels drawing at least Twelve Feet Water.

Company im-
powered to
make a Lock
to take the
Water of
Fresney, and
the several
Springs called
Blow Wells.

And be it further Enacted, That it shall also be lawful for the said Company, and they are hereby required, at or near the intended Mouth or Entrance of the said Haven, to fix One or more Buoy or Buoys, and also in or upon such Part of the said Haven as is above the Point or Place called *Greenshore End*, to erect and fix One or more Lock or Locks, with Sea Gates, for the Exclusion of the Tide, and also to erect and build, at or near the East Side of the said Lock, a Watch House for Persons to reside therein to have the Care and Management of the said Lock, and receive the Rates and Duties granted by this Act; and as well for the better scouring out the Outfall of the said Haven, and for Prevention of the same warping up, as for occasionally supplying that Part of the said Haven lying within or above the said intended Lock, and in which Part a certain and sufficient Quantity of Water shall be pounded up as aforesaid, the said Company shall and may, and they are hereby authorized and required to make, and from Time to Time to cleanse and keep open the same, so many and such Cuts or Trenches from the several Springs, and from the Lands and Grounds lying within the Open Fields, Common Pastures, and other Grounds situated on the East and West Sides of the Town of *Great Grimby* aforesaid, and also from all and every or any of the Springs or Pools of Water, usually called or known by the Name of *Blow Wells*, lying by the Side of or near to any of the Drains or Watercourses within the Parishes of *Great Grimby* and *Little Coates* aforesaid, which communicate or discharge their Waters into the said Haven, and also from the several Springs, Pools, or Blow Wells lying by the Side of or near to the said Beck called *Fresney*, in the said Parishes of *Little Coates* and *Great Coates*, or contiguous thereto, as they shall think necessary for conveying the Water from and out of the said several Lands and Grounds, Springs, Pools, or Blow Wells, into the said Drains or Watercourses, and the said Beck respectively; so nevertheless that such Springs, Pools, or Blow Wells be not at any Time drained off, or so much exhausted by Means of any such Drainage, as to be no longer capable of affording a necessary Supply of Water to and for the Use of the respective Occupiers of the several Lands and Grounds lying within the several Parishes aforesaid,

aforesaid, or any or either of them; and so also that nothing herein contained shall extend or be construed to extend to authorize or empower the said Company, or any Person or Persons employed by or under them, to take any of the Waters out of or from certain Blow Wells, from which the Lands and Grounds lying within the said Parish of *Great Coates* are now supplied, by Means of a Pipe laid across the said Beck or River for that Purpose (except so much of such Water as may fall over a Bay which shall or may be erected or raised Twelve Inches above the Level of the Mouth of the said Pipe so conveying the Water from and out of the said Blow Wells into the said Lands and Grounds in *Great Coates* aforesaid) and the said Company are also hereby empowered to take, turn, divert, and convey all and every the Waters from and out of the said Beck or River called *Freshney*, which run in or between the said several Parishes of *Little Coates*, *Great Coates*, and *Great Grimby*, into the Cuts, Drains, or Ditches which shall and may be made, widened, deepened, enlarged, and straightened, within the said Parishes of *Little Coates* and *Great Grimby*, to communicate from the said Beck or River to the said Haven; and in or upon the said Beck or River to make, set down, and erect such Cloughs, Weirs, or Sluices, as shall be thought requisite for turning and diverting the Course and Current of the Water of the said Beck or River as aforesaid, and for carrying down the same through and along the old Channel thereof as after mentioned: Provided nevertheless, that such Clough, Weir, or Sluice, be drawn at least Once in every Week, or oftener if Occasion shall require; and the Clough, Sluice, or Weir which shall be fixed in, upon, or next to any of the Drains which shall be made or enlarged for receiving the Water of the said Beck or River called *Freshney*, shall be put or let down, in order that such Water may have its usual and accustomed Currency into the said River *Humber*; and in order also to prevent such Beck or River from being silted or warped up, and so as that the same may at all Times and Seasons of the Year be a good and sufficient Division Fence between the said several Lordships of *Little Coates*, *Great Coates*, and *Great Grimby* aforesaid; and also that the said Company shall, if required by the Proprietor or Proprietors of any of the Lands or Grounds adjoining upon the said Haven, or any of the Drains, Cuts, or Ditches leading thereto or communicating therewith, where the Water shall be held up above the Surface of the said Lands, make Soak Dikes, for the better Preservation and Drainage of such Lands respectively, and which Soak Dikes, where the Ground will admit thereof, shall, if required by the Proprietors of the said Lands, be made to discharge their respective Waters into the said Haven, at the Foot of the Lock to be erected therein, or into some of the Drains or Watercourses falling into or communicating with the said

D

Haven;

Company im-
powered to
make other
necessary
Works, &c.

Haven; and also that the said Company shall be, and they are hereby authorized and impowered, within or upon the said Haven, and the said several Cuts, Drains, or Ditches hereby authorized to be respectively altered, varied, made, straightened, and enlarged, and in and upon the Lands adjoining or near the same respectively, to erect, build, and make any new or fresh Sluices or Flood Gates, or remove, lengthen, or enlarge those now standing at the Two Upper Extremities of the said Haven, and also such and so many Piers, Jetties, Flood Gates, Culverts, Weirs, Pens for Water, Staunches, Houses, Warehouses, and also such other Works and Conveniencies not herein particularly mentioned, as the said Company shall think requisite and necessary for or relating to the carrying this Act, and the several Purposes thereof, into full and complete Execution; and also from Time to Time, when and so often as Occasion shall require, to remove, displace, alter, repair, and amend the same, and all and every or any of them, and to make, widen, and enlarge any Bridges, Ways, Roads, Passages, and other Works or Conveniencies, as well for the carrying and conveying of Goods, Commodities, and other Things to and from the said Haven, as for the carrying and conveying of all Manner of Materials necessary for the making, erecting, finishing, altering, removing, repairing, amending, widening, enlarging, or straightening the said Works of and belonging to the said Haven and Undertaking; and also to place, lay, work, and manufacture any Materials on the Ground near to the Place or Places where the said Works, or any of them, shall and are intended to be made, erected, repaired, or done, and to build and construct the said Lock or Locks, public Quay, and the several Sluices, Bridges, Works, and Erections belonging thereto, and also to make, set up, and appoint such Towing Paths, Banks, Roads, and Ways convenient for towing, haling, or drawing of Sloops, Ships, and other Vessels passing in, through, or upon the said Haven, as they the said Company shall think convenient, such Towing Paths not to be more than Fifteen Feet wide at the Top of the Bank, and to be made and constructed for towing or haling with Men only; and to construct and keep in Repair any Bridges, Arches, Passages, and other Works in, upon, and across any Brooks, Drains, or Ditches, for the making, using, maintaining, and repairing of the said Haven, and the Towing Paths on the Sides thereof; and also to construct, erect, make, and do all and every other Matter and Thing whatsoever, which they the said Company shall think necessary and convenient for the making, effecting, extending, preserving, improving, completing, and using of the said Haven and the Navigation thereof, in pursuance of and according to the true Meaning of this Act, they the said Company doing as little Damage as may be in the Premises, and making Satisfaction in Manner hereinafter mentioned to the Owners and Proprietors
of

of such Lands, Tenements, or Hereditaments, Waters, Watercourses, Becks, Brooks, or Rivers respectively, as shall be taken, used, removed, diverted, or prejudiced, for all Damages to be by them sustained in or by the Execution of all or any of the Powers of this Act; save and except to the Mayor and Burgeſſes of the Town and Borough of *Great Grimsby* aforeſaid, who, for the better facilitating the ſaid Undertaking, and in Conſideration of the great Advantage they will derive therefrom, have agreed to relinquish all Right, Claim, and Demand to any Sum or Sums of Money, Rent or Rents, which they otherwise might have or claim for or in reſpect of the Land or Ground of or belonging to them the ſaid Mayor and Burgeſſes, which ſhall or may be neceſſarily had or uſed, damaged, or injured by the ſaid Company in carrying the ſaid Undertaking into Execution, or other the neceſſary Purpoſes of this Act, ſuch detached Pieces of Ground as hereinafter mentioned being conveyed to them by the ſaid Company, in caſe the Creek thereto adjoining ſhall be wanted to be enlarged and ſtraightened; and this Act ſhall be ſufficient to indemnify the ſaid Company, their Agents, Officers, Workmen, and Servants, and all other Perſons whomſoever, for what they or any of them ſhall do by virtue of the Powers hereby granted, ſubject nevertheless to ſuch Proviſoes and Reſtrictions as are hereinafter mentioned and contained: Provided always nevertheless, that it ſhall not be lawful for the ſaid Company to take more than Four hundred ſquare Yards of Land in the Whole from the Eſtates of *Charles Lord Yarborough*, *George Robert Heneage* and *George Tennyſon*, Eſquires, for the Purpoſe of erecting Houſes, Warehouſes, or other Buildings thereon, nor ſhall any Part of any of ſuch Houſes, Warehouſes, or other Buildings, extend in Front next the ſaid Haven more than Fifteen Yards, without the Conſent of the Owners and Proprietors of ſuch Land reſpectively; and the Place or Places on which ſuch Houſes, Warehouſes, or other Buildings ſhall be erected and built, ſhall be appointed, ſet out, and fixed by the ſaid Committee, at ſome Meeting to be held by them within Twelve Calendar Months next after the paſſing of this Act, any Thing hereinbefore contained to the contrary notwithstanding.

Provided always, and be it further Enacted, That the Earth or Soil which ſhall ariſe from the enlarging and altering the ſaid Haven, they the ſaid Haven Company ſhall cauſe to be carried or removed from the Sides of the ſaid Haven, ſo and in ſuch Manner that the Top of the Banks thereof ſhall not be higher in any Part than Five Feet above the Water Line of the ſaid Haven; and if the ſaid Company ſhall nor, within the Space of Twelve Calendar Months, have removed ſuch Earth or Soil in Manner as aforeſaid, that then and in ſuch Caſe it ſhall and may be lawful for the reſpective Owners of the Lands upon which ſuch

Company to remove Soil, otherwise the Owners of the Lands on which the ſame ſhall be laid to uſe the ſame.

Earth

Earth shall be laid, to take and use the same for the making of Bricks, or any other Purpose, to and for his, her, or their own proper Use and Benefit, any Thing herein contained to the contrary notwithstanding.

Provision for
the Prevention
of the Low
Lands being
flooded.

Provided also, and be it further Enacted, That for preventing the Low Lands in the several Lordships of *Great Grimby* and *Little Coates* aforesaid, being flooded or injured by the Stoppage or the Waters arising or passing within or through the said several Lordships, or either of them, and draining into and through the said Haven, the said Company shall, and they are hereby required, within the Drain or Ditch called *Piper Creek*, to erect and fix a Gauge Weir, the Summit whereof shall not exceed or be higher than the Level or Surface of the Lowest Lands in the said Lordship of *Little Coates*, except as to a certain Piece of Land there, and lying near to the said *Piper Creek*, and containing Five Chains in Length or thereabouts, and which lies One Foot beneath the Surface or Level of other the Low Lands there, but for Security whereof, and to prevent the same from being overflowed by Means of the Water being there kept up to the Level of other the said Low Lands and Grounds, they the said Company shall and will at all Times well and sufficiently embank, guard, and secure the same; and they the said Company shall also cause the Level of such Low Grounds (except as aforesaid) to be marked upon the Lock intended to be erected and fixed in the said Haven, and in such Haven shall cause the Water to be at all Times kept below or within such Mark; and between the Ebb of one Tide, and the Flood of the next, shall regularly and constantly sluice or draw off the Water pounded up in the said Haven by Means of the said Lock, until the same shall be reduced Two Feet below such Low Water Mark; and in case the Haven Master, or other Person having the Care or Management of the said Lock, shall keep the Water pounded up within the said Haven above the said Mark, or shall neglect to draw off the same, or make such Reduction during the Ebb of Tide as aforesaid, by Means whereof the said Low Lands shall be flooded, or any Damage or Injury shall be sustained in consequence thereof, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Three Pounds, to be recovered in such Manner as is herein directed.

Buildings, &c.
except such as
are mentioned,
not to be in-
jured;

Provided always, That nothing herein contained shall authorize or empower the said Company, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Undertaking, or any other the Purposes in this Act mentioned, any House or other Building which was erected or built upon before the passing of this Act, or any Land or Ground which was then set apart and used

used as or for a Garden, Orchard, Yard, or Paddock, without the Consent of the Owners and Occupiers thereof, other than and except a certain thatched Hovel or Stable situate, standing, and being in a certain Close in *Great Grimby* aforesaid, called the *Six Acres*, the Property of the said Mayor and Burgeffes, and which is now in the Occupation of the Reverend *William Thorold*, as their Lessee; a certain Close or Paddock in *Great Grimby* aforesaid, the Property of *George Robert Heneage*, Esquire, and now also in the Occupation of the said *William Thorold*, and the Stables, Coach House, and other Offices or Outhouses therein standing and being; and also except such Gardens, Steps, and other Projections as have been made with the Consent of the Lords of the Manor or otherwise, and for which no Compensation was or hath been made, upon the Roads, Highways, or landing Places lying next to or immediately adjoining upon the said Haven; nor shall the said Company be authorized or enabled, under or by virtue of any Thing in this Act contained, to erect or build any House, Mill, or other Building upon the Lands which shall or may be set out for the Towing Paths, or landing Places, or other Purposes of the said Navigation (except only and to the Extent aforesaid) without the Consent of the Person or Persons who shall be Owner or Owners of such Lands at the Time of setting out the same for the Purposes aforesaid; or to convert or employ any Water that shall be brought into or discharged out of the said Haven, or into or out of any of the Cuts, Drains, or Ditches communicating therewith, for the Use of any Mill or Mills hereafter to be erected near the same; and if any House, Mill, or other Building, save as aforesaid, shall be erected upon any such Lands or Grounds, without such Consent as aforesaid, it shall and may be lawful for the Person or Persons, Bodies Politic or Corporate, who was or were Owner or Owners of such Lands or Grounds at the Time of setting out the same for the Purposes aforesaid, or his, her, or their Heirs, Successors, Executors, Administrators, or Assigns, to take or pull down and remove such Houses, Mills, and other Buildings, without being deemed guilty of Trespass, or liable to any Action or Prosecution for so doing.

nor any
Buildings but
for the Use of
the Navigation
to be erected on
the Towing
Paths, &c.

And whereas the Ground lying on the West and South Sides of the Two Branches of the said Haven, and next adjoining the Town, and which is a public Quay and landing Place of and belonging to the said Port of *Grimby*, is very narrow and inconvenient, and upon the said Haven being so improved and enlarged as by this Act is intended, will not be spacious and commodious enough for a public Quay or landing Place, nor admit of Two Carriages to pass each other, or any Cranes, Beams, or other necessary Engines or Conveniencies to be erected or fixed thereon; Be it therefore Enacted, That it shall and may be lawful

The public
Quay to be en-
larged, &c.

to and for the said Company, and they are hereby authorized and empowered to fill up and level the said Two Branches of the said Haven, and on the East and North Sides thereof, and from one Sluice Bridge to the other, to cut and make Two other and fresh Branches to communicate with the said Haven, of sufficient Depth, Width, and Capacity for Ships and other Vessels, so as that the Ground on the West and South Sides thereof, and between such new or intended new Cuts or Branches, and the Warehouses and Buildings adjoining the Town, and certain Ground of and belonging to *George Tennyson*, Esquire, do not exceed or be of less Width or Breadth than Twenty Yards, except in such Points or Places where it shall otherwise unavoidably happen, from preserving a direct Line with respect to the adjoining Buildings, and also from the North East Corner of a certain Malt Kiln, to the North West Corner of a certain Summer House respectively of the said *George Tennyson*; and it shall and may be lawful for the said Company, and they are hereby required, upon so much and such Part of such Ground only as shall be so left on those Sides of the said Two new Branches or Cuts lying next the Town, to make and erect commodious, good, and sufficient Quays, Wharfs, or landing Places, Cranes, Weighing Beams, and other Erections and Conveniencies as shall be thought requisite for landing and discharging, lading and shipping of Goods, Wares, and Merchandize exported to, or imported from or into the said Haven, so as in the doing thereof or by Means or in Consequence thereof the Proprietors or Owners of the Warehouses, Yards, Lands, and Premises adjoining next to and immediately upon the said public Quay, Wharf, or landing Place, or their respective Agents or Tenants, be not hindered or prevented from having at all Times a free and uninterrupted Passage to and Communication from their said respective Premises through and across the said public Quay, Wharf, or landing Place to the said Haven, for the loading and unloading of any Goods, Wares, or Merchandize into or from out of any Ship or other Vessel lying within that Part of the said Haven as is or shall be opposite or near to the said respective Buildings and Premises; and that it shall not be lawful for any Person or Persons whomsoever, to lade or put, or cause to be laden or put off or from any Quay, Wharf, or other Place on the Land, within the said Port of *Grimby* (except as after mentioned) into any Ship, Vessel, Lighter, Boat, or Bottom, any Goods, Wares, or Merchandize whatsoever (Fish taken by His Majesty's Subjects, Bestials, and Salt only excepted) to be brought from any of the Parts beyond the Seas, or to take up, discharge, or lay on Land, or cause or procure to be taken up, discharged, or laid on Land, out of any Ship, Vessel, Lighter, Boat, or Bottom (being not in leak or wreck) any Goods, Wares, or Merchandize whatsoever (Fish taken by His Majesty's Subjects, Bestials, and Salt, only excepted) to be brought from any of the
Parts

Parts beyond the Seas by way of Merchandize, but only upon such open Place, Quay, or Wharf, Places, Quays, or Wharfs, as shall be enlarged and made as abovementioned, or upon such Quays or Wharfs as shall be built and provided in pursuance of this Act in Manner hereinafter mentioned, without special Sufferance or Leave first had from the Commissioners or Officers of His Majesty's Customs, upon the Penalty of the Forfeiture of all such Goods, Wares, and Merchandizes so laden or discharged contrary to the true Meaning of this Act, or the Value thereof.

And be it further Enacted, That it shall and may be lawful for all and every the Owners and Proprietors of the Lands and Grounds lying on each Side of the said Haven, from and between the Place called the *Coal Hill*, and the said Two Sluices at or near the East End of the Town of *Great Grimsby* aforesaid, and which hath or have been heretofore set out and appointed to be the Place or Places, Quays or Wharfs, for the landing or discharging, loading or unloading of any Goods, Wares, or Merchandizes within the said Port of *Grimsby*, at their own proper Charge and Expence, to make such Erections, Buildings, Walls, and Staiths on their said Lands lying on each Side of the said Haven, from and between the said Place called the *Coal Hill* and the said Sluices, so soon as the said Haven shall be widened, deepened, enlarged, and straightened, as is hereby authorized, for the making the same convenient and complete Quays, Wharfs, or landing Places, without any Interruption, Let, or Disturbance, of, from, or by the said Company, or any of their Agents or Servants, and without being liable to have the same, or any of them, or any Part thereof, at any Time afterwards removed, taken down, or altered; so as any of such Works or Erections do not project into the said Haven more than Six Feet, and so as all such Places be open at all Times to the Officers of His Majesty's Revenues; on which said several last-mentioned Quays or Wharfs, when so made and erected, it shall be lawful to ship off, land, and discharge all weighable Goods, or Goods called Sufferance Goods, and all other Goods, Wares, and Merchandize whatever, which are permitted to be shipped off or landed in the Port of *London* as Sufferance Goods, and under the like Regulations.

Proprietors of certain Ground adjoining the Haven empowered to make Quays.

And, to the End that the said Navigation may be improved with as little Damage to private Property as possible. Be it further Enacted, That the said Company shall, and they are hereby required to make or cause to be made, such Bridges, Arches, Tunnels, Drains, or other Passages over the several Cuts, Drains, or Ditches aforesaid, as shall be sufficient at all Times to convey the Water from, and permit the Occupation of the Lands adjoining or lying near thereto, without obstructing or impeding the same by Reason or Means of such enlarging, straightening,

Tunnels, &c. to be made for Convenience of the Occupiers of adjoining Lands.

straightening, altering, and making the said Cuts, Drains, or Ditches; and also shall divide and separate, and keep constantly divided and separated, the Towing Paths on the Side or Sides of the said Haven, or such Part or Parts thereof as shall be found necessary by the Commissioners hereby appointed, from the Lands or Grounds adjoining to such Towing Paths, with a sufficient Post and Rail, Ditch, Trench, or Bank, or other Fence sufficient to keep in Sheep or other Cattle, to be set and made on the Lands and Grounds which the said Company shall become possessed of for the several Purposes in this Act expressed; and also shall make, erect, and set up such and so many convenient Gates, Bridges, Stiles, and other Conveniencies in, through, and over the Ditches and Fences to be by them so made on the Sides of such Towing Paths as aforesaid, and also such and so many Bridges and Passages over, under, or through the said Trenches, Streams, and Watercourses, and of such Dimensions and in such Manner as the Commissioners hereinafter appointed shall from Time to Time judge necessary and appoint, for the Use of the Owners and Occupiers of the Lands and Grounds, Hereditaments and Premises adjoining to such intended Trenches, Streams, Watercourses, and Towing Paths, or any of them respectively; and the said Company shall not make any Cut, Trench, or Watercourse, or any Part thereof, in or across any common Highway, public Bridle Way, or Foot Path, until such Time as the said Company shall have made and perfected such Bridge or Bridges over, or convenient Passages through, or Arch or Arches under the said Place or Places where the said Cuts, Trenches, or Watercourses respectively shall be intended to be made for such Road, Way, or Path, and of such Dimensions and in such Manner as the said Commissioners shall adjudge proper.

Certain
Bridges to be
made over the
Drains in Lord
Yarborough,
the Corpora-
tion of Grim-
by, and Mrs.
Lee's Lands.

And be it further Enacted, That the said Company shall, and they are hereby authorized and required, at their own Expence, for the more convenient Occupation of the Lands of the said *Charles Lord Yarborough, Elizabeth Lee*, Widow, and the Mayor and Burgesses of *Great Grimsby* aforesaid, to erect and build over the Cuts and Drains hereby authorized to be made or enlarged, and which shall be cut across the said Lands or the Roads leading into the same, good and sufficient Bridges for Horses and Carriages in such Parts and Places as the said *Charles Lord Yarborough, Elizabeth Lee*, and the said Mayor for the Time being, shall direct by Writing under his, her, and their Hands respectively, and at all Times for ever thereafter to keep and maintain the said Bridges in good and sufficient Repair for the Use of the Owners for the Time being of the said adjoining Lands, and his, her, and their Tenants, Servants, and others authorized and allowed by him, her, and them, to pass and repass over the same respectively.

And

And be it further Enacted, That in case the said Company or their Agents shall fail or neglect to make, erect, and set up such Gates, Bridges, and Stiles, and other Conveniencies in and over the Fences on the Sides of the Towing Paths, or such Bridges, Arches, Tunnels, and Passages over, under, or through the said Cuts, Drains, and Ditches, Trenches, Streams, and Watercourses as aforesaid, for the Use and Convenience of the respective Owners or Occupiers of the Lands adjoining thereto, and from Time to Time to repair, maintain, and support such Gates, Bridges, Arches, Tunnels, and Stiles when made, erected, and set up, of such Dimensions and in such Manner as the Commissioners hereby appointed shall from Time to Time direct or appoint, for the Space of Three Calendar Months next after the Time to be appointed for those Purposes by the said Commissioners, then and in every such Case it shall be lawful for every or any of the said Owners or Occupiers of the said adjacent Lands or Grounds, who shall find themselves, himself, or herself aggrieved by any such Failure or Neglect, to make, erect, and set up all such Gates, Stiles, Bridges, Arches, Tunnels, and other Conveniencies aforesaid, as the said Commissioners shall have before directed or appointed to be made, erected, and set up by the said Company, and from Time to Time to repair and support the same respectively as Occasion shall require (in case upon Application to the said Commissioners, after Three Calendar Months previous Notice to the Treasurer or Clerk to the said Company of such intended Application) the said Commissioners shall and may authorize and direct such Repairs as aforesaid; and all the reasonable Costs and Charges thereof respectively, to be settled and allowed by the said Commissioners, shall be repaid to the respective Owners or Occupiers of the said adjacent Lands, who shall have so made and erected or repaired the said Gates, Stiles, Bridges, Arches, Tunnels, Passages, or other Conveniencies as aforesaid, by the said Company within the Space of Twenty Days next after the same shall have been so settled and allowed, and an Account and Demand shall have been delivered and made thereof; and on Default of Payment of the said Costs and Charges within the Time aforesaid, the said Commissioners shall, and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of the Goods and Chattels of the said Company in or upon the said Haven, or the Quays, Wharfs, Warehouses, or Buildings adjoining to or near the same respectively, to and for the Use of such Person or Persons who shall have so laid out and expended the same as aforesaid, rendering to the said Company, or to some of their Agents, the Overplus (if any such there be) after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Commissioners; or otherwise every or any of the said Owners or Occupiers of Lands, who shall have

Proprietors of
Lands to make
Bridges if
Company ne-
glect.

The Expense
thereof as set-
tled and al-
lowed by the
Commissioners
to be repaid by
the Company.

In Default of
Payment to be
distressed for.

Or may be re-
covered by
Action at Law.

made, erected, or repaired any such Gates, Stiles, Bridges, Arches, Tunnels, Passages, and other Conveniencies as aforesaid, upon the Failure or Neglect of the said Company, shall and may have such and the like Remedy against the said Company for the Recovery of such Costs and Charges by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is in and by this Act mentioned and directed.

Land Owners
may alter
Bridges at their
own Expence
with Consent
of the Com-
mittee.

Provided always, and be it further Enacted, That if the several Bridges, Arches, Tunnels, Gates, Stiles, Passages, and other Conveniencies which the said Commissioners shall have limited and directed to be made by the said Company, over, in, upon, or under the said Cuts, Drains, Ditches, Trenches, Streams, and Watercourses, shall at any Time or Times thereafter be found by the Owners or Occupiers of the Lands adjoining, to be too few in Number, or too inconveniently fixed for the Use and Occupation of such Lands, that then and so often it shall be lawful for any or every of such Owners or Occupiers, with the Consent and Approbation of the Committee for the Time being, to be chosen in the Manner hereinbefore directed, upon Request made to them for that Purpose, or in case of their Refusal for the Space of Twenty-eight Days after such Request, then with the Consent and Approbation of the said Commissioners, to make, fix, and erect, at their own Costs and Charges, One or more Gate or Gates, Stiles, Bridges, Arches, Tunnels, Passages, or other Conveniencies, of the same or the like Construction with others made and erected by the said Company, upon, in, over, or near the said Cuts, Drains, Ditches, Trenches, Streams, and Watercourses, in such Places as shall be found and judged most necessary and convenient, for the better Use, Management, or Occupation thereof, and to repair and support the same at their own like Costs and Charges as Occasion shall require, so as no Damage or Injury be thereby done to the said Cuts, Drains, Ditches, Trenches, Streams, and Watercourses, or the Banks thereof, or to obstruct or weaken the Currency of the Land Waters, or their communicating with or falling into the said Haven.

Company in
Cases of Floods
to enter Lands
to get Mate-
rials for Repair
of Damages.

And whereas it may happen from Floods, extraordinary great Tides, or from some unexpected Accident, that the Lock, Sluices, Weirs, Flood Gates, Dams, Banks, Trenches, or other Works of the said Haven, or of the Drains communicating therewith, may be injured or destroyed, and the Land thereby adjoining may suffer Damage, and that it may be necessary that the same should be immediately repaired or rebuilt, to prevent any further or greater Damage; Be it therefore Enacted, That in every such Case, and when and so often as the same shall happen, it shall

be

be lawful for the said Company from Time to Time, or for their or any of their Servants, Agents, or Workmen, without any Delay or Interruption from any Person or Persons whomsoever, to enter into or upon any Lands, Grounds, or other Hereditaments adjoining or near to the said Haven, Drains, and other Works and Conveniencies, or any of them (not being the inclosed Ground whereon, or in which any House or other Building shall or may stand) and to dig for, work, get, and carry away, and use all such Stones, Cobbles, Gravel, Soil, and other Materials as may be necessary or proper for the Purposes aforesaid, without any previous Treaty or Contract whatsoever with the Owner or Owners, Occupier or Occupiers of, or other Person or Persons interested in such Lands, Grounds, or Hereditaments, or any of them, doing as little Damage thereby as the Nature of the Case will permit, and making Recompence for the same to the Owners and Occupiers of, or other Persons interested in such Lands, Grounds, or Hereditaments, within the Space of Three Calendar Months next after the same, in respect thereof, shall be settled and determined, or assessed, by the Ways and Means by this Act prescribed and directed with respect to other Damages to be done or occasioned by or for improving the Navigation of the said Haven, and making and completing the Works of the said Undertaking.

And be it further Enacted, That if at any Time or Times hereafter, any Person or Persons shall sustain any Damage in his, her, and their Lands, Tenements, or Property, by any such Floods or Accidents, or otherwise, by Reason of the Execution of any of the Powers hereby given, or by Means of any Neglect or Omission of the said Company or Committee, or any Officer, or other Person employed by, or acting under them, for Recompence whereof no Provision is hereby made, then and in every such Case, such Damages shall from Time to Time be settled by the Commissioners hereby appointed, and be recovered, levied, and disposed of in such and the like Manner as is herein directed with respect to other Damages.

Damage not provided for to be settled by the Commissioners.

And be it further Enacted, That if at any Time hereafter the Beck, Drains, or Ditches through which the Water shall be conveyed into any of the Cuts, Drains, or Ditches hereby directed or authorized to be made, for the better Improvement of the Navigation of the said Haven, shall, by Reason of their not being of a sufficient Capacity, or sufficiently cleaned and kept open, hinder or obstruct the Current, or free Passage of any such Water or Waters, and if the same shall not be made more capacious, or completely cleared and opened, within the Calendar Month after Notice in Writing shall have been given thereby, to the Owner or Owners, Occupier or Occupiers of the same,

Company empowered to cleanse and improve the Water-courses at Land Owners Expence.

a joining or lying contiguous to such Beck, Drains, and Ditches, or to the Constable or other Parish Officer where such adjoining Land is a Common Pasture, by any Clerk or Agent of the said Company, it shall then be lawful for the said Company (an Order in Writing for that Purpose having been first obtained from the Commissioners hereby appointed) from Time to Time, as often as there shall be Occasion, to widen, deepen, enlarge, open, and cleanse, or cause to be widened, deepened, enlarged, opened, and cleansed, the said Beck, Drains, and Ditches; and the reasonable Expence thereof, when ascertained and allowed by the said Commissioners, shall be repaid to the said Company, by the Owners or Occupiers of such Lands or Grounds to which the said Beck, Drains, and Ditches so enlarged, opened, and cleansed, shall belong, or by the Constable or other Parish Officer where such adjoining Land is a Common Pasture, and which Parish, on Account thereof, shall be wholly or in part liable to the Repair of such Drains or Ditches; and in case of Refusal to satisfy the same, for the Space of One Calendar Month after Demand shall have been made thereof, from the respective Owners or Occupiers of such Lands and Grounds as aforesaid, or such Constable or other Parish Officers, for or by Reason as aforesaid, all and every such Charges and Expences shall and may be recovered in such Manner as Forfeitures and Penalties are hereinafter directed to be recovered.

Three certified
Plans to be
made and de-
posited for
public Inspec-
tion.

And whereas a Level and Survey have been taken for ascertaining the Practicability of improving the Navigation of the said Haven by the several Ways and Means aforesaid, and a Map or Plan, with a proper Book of Reference thereto, hath been made in consequence thereof, in order to shew as well the Line or Course of the said Haven, and the Enlargement, straightening, and varying the same, as the new Cuts or Drains, and the straightening and enlarging of the several old ones, for conveying into the said Haven not only the Water of the said Beck or River called *Freshney*, but also of the several other Waters draining from the Lands above in the said several Parishes of *Little Coates* and *Great Grimby*, and the adjoining Parish of *Clee*; Be it therefore Enacted, That there shall be Three Parts made of the said Map or Plan and Book of Reference, which shall be certified by the Right honorable the Speaker of the House of Commons, and severally deposited with the Clerk of the Peace for the Parts of *Lincolsey*, in the County of *Lincoln*, the Town Clerk of the Borough of *Grimby*, and with the Clerk to the said Company, to which all Persons shall have Liberty to resort and examine, and make Extracts or Copies thereof as Occasion shall require, paying for every such Inspection the Sum of One Shilling, and for every such Copy or Extract after the Rate of Four Pence for every Seventy-two Words;

Words; and the said Maps or Plans and Books of Reference so certified, or true Copies thereof, shall be, and are hereby declared to be good Evidence in all Courts of Law and Equity, or elsewhere; and the Clerk for the Time being to the said Company, upon Twenty-one Days Notice to him given for that Purpose, shall, and is hereby required from Time to Time to produce the said Map or Plan and Book of Reference, before the Commissioners named and appointed in or by virtue of this Act, or any Jury or Juries to be impannelled by virtue thereof, at the Time and Place to be mentioned in such Notice, in order that the same may be then and there given in Evidence, such Clerk to the said Company having a reasonable Sum of Money allowed for his travelling Expences, Absence from Home, and Attendance on such Occasions.

And be it further Enacted, That the said Haven Company, in straightening, varying, and enlarging the said Haven, from the Junction of the Two Branches so intended to be varied and made as hereinbefore is mentioned, to the Place where the intended Lock shall or may be fixed, and also in deepening and enlarging the Cross Drain from the said Beck or River called *Freshney*, to the said Drain called *Piper Creek*, shall adhere to the Course and Direction delineated in or upon the said Map or Plan, and set forth in the said Book of Reference, as nearly as Circumstances render practicable; and in case of any Dispute or Difference about the Necessity of such Deviation, the same shall be enquired into and determined by the said Commissioners, or any Three or more of them; and in making, straightening, varying, or enlarging other the Cuts, Drains, or Ditches aforesaid, for conveying into the said Haven the Water of the said Beck or River called *Freshney*, the said Company shall not deviate more than Twenty Yards from the Course or Direction delineated in the said Map or Plan, and set forth in the said Book of Reference, nor cut, carry, or convey the said Haven and Watercourses into, through, across, under, or over any Part or Parts of the several Estates, Lands, or Grounds now or late belonging to, or reputed to belong to the said several and respective Owners named or described in the said Book of Reference, otherwise than and under the Circumstances and within the respective Distances aforesaid, from such Part or Parts as are mentioned in the said Book of Reference in that Behalf, or belonging to any other Person or Persons not named in such Book of Reference, without the Approbation and Consent in Writing, signed by the Person or Persons to whom such Estates, Lands, or Grounds do or shall respectively belong.

Restrictions as
to Deviations
from the Plan.

Provided nevertheless, That nothing in this Act, or in the said Map or Plan, and Book of Reference contained, shall extend or be construed to extend to restrain or prevent the said Company from making the said

Deviations in
certain Cases
allowed to be
made.

Haven, from the Junction of the Two Branches thereof downwards to the River *Humber*, of a sufficient Width, Depth, and Capacity for Two Ships or Vessels, drawing Seventeen Feet Depth of Water, and of Thirty-two Feet Beam, to navigate the same, and pass each other at ordinary Spring Tides; nor to hinder or prevent the said Company from making such Two Branches of sufficient Capacity as to admit of Three such Vessels to be moored or lay abreast of each other, to nevertheless the intended Capacity of the said Haven, and the Branches thereof, within the Extent or Limits aforesaid, be settled and fixed by the said Company, at some Meeting to be held by them within Twelve Calendar Months next after the passing of this Act; nor to hinder or prevent such Deviation in the altering and varying the said Haven through the Ground called *Fitty Ground*, and the Mud Shore to low Water Mark in the River *Humber*, from the Course and Direction delineated in the said Map or Plan, or from erecting a Lock in such Part of the Haven, or Sluices, Cloughs, or Weirs in or upon the said Watercourses, Cuts, Drains, or Ditches respectively, as the said Company or the Committee as aforesaid shall think most expedient and proper, and best calculated to answer the Ends and Purposes of the said Navigation and Undertaking; nor to prevent, hinder, or obstruct the Land Waters from and above the East and South East Sides of the Town of *Great Grimby* aforesaid from being conveyed in, by, or through a new Cut or Drain, which the said Company are hereby as well authorized as required to make, immediately next to and on the East Side of the Turnpike Road, leading from the East End of the said Town, to or nearly to a certain Place there called the *Sand End*, instead of being made immediately next to and adjoining the Bank on the East Side of the said Haven, as is so laid down in or upon the said Map or Plan, in case the said Waters cannot, without obstructing the Drainage thereof, or injuring the Lands and Grounds adjoining, be taken into such Haven, and sluiced through the said Lock.

The Omission
in the Book of
Reference of
the Name of
any Land
Owner to be
no Bar to the
Undertaking.

Provided always, and it is hereby further Enacted, That the said Company shall and may make, enlarge, straighten, or vary all and every or any of the Cuts, Drains, or Ditches into, through, across, or over the Estates, Lands, or Grounds of any Person or Persons whomsoever, into whose Estates, Lands, or Grounds such Deviation as aforesaid shall extend, and also to make and erect all such Buildings and Works as the said Undertaking shall necessarily require, although their Names be not mentioned in the Book of Reference, or into the Estates, Lands, or Grounds of any Person or Persons, whose Name or Names shall appear, to the Satisfaction of the said Commissioners, and be by them certified under their Hands, to be by Mistake omitted in the said Book of Reference, or that instead thereof the Name or Names of some other Person or Persons, to whom such last-mentioned Estates, Lands,

Lands, or Grounds do not belong, have or hath been by Mistake inserted therein, any Thing herein contained to the contrary thereof in anywise notwithstanding.

And be it further Enacted, That it shall be lawful for the Agents and Servants of the said Company, from Time to Time to enter upon the Lands or Grounds of the several Persons, Bodies Politic, Corporate, or Collegiate, through or upon which the said several Works hereby authorized are intended to be made, in order to make any fresh, further, or other Survey, and take a Level of the same, and set out and ascertain such Parts thereof as they shall think necessary or proper for the enlarging, straightening, and varying, as well the said Haven as the several Drains or Ditches aforesaid, and the making such new Cuts or Drains, and other the Matters and Conveniencies aforesaid; but nevertheless under and subject to the Privileges and Restrictions herein contained of and concerning the same; such Agents or Servants making Satisfaction for the Damage they shall do thereby, to the Occupiers of such Lands or Grounds for the Time being.

Land may be entered for making further Surveys, &c.

And be it further Enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, whether Aggregate or Sole, and for the Husbands, Guardians, Trustees, and Feoffees in Trust, Committees or Attornies, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femmes Covert, or other Person or Persons, and to and for all Femmes Covert who are or shall be seized, possessed of, or interested in their own Right, and to and for every Person or Persons however incapacitated, who are or shall be seized, possessed of, or interested in any Messuages, Lands, Tenements, or Hereditaments, either to demise or lease the same, or any Part thereof, for any Term or Number of Years, at a certain Yearly Rent, or otherwise to contract for, sell and convey to the said Company, or to such other Person or Persons as they shall nominate or appoint, as well for the Use of the Navigation of the said Haven, and other the Purposes aforesaid, as for making in future, out of or with the Surplus Money to arise by or from the Rates or Duties hereby imposed, and Interest of Investments, or the Money which may be borrowed on the Credit thereof, any Dock or Docks, or further or other Works, Accommodations, and Conveniencies, all or any Part of such Messuages, Tenements, or Hereditaments, which shall from Time to Time be so set out and ascertained as aforesaid; and where by the making the said several Cuts or Drains, or straightening any of the present Drains or Ditches for conveying such Back or Land Waters as aforesaid, the Property of any Land Owner or Owners shall be separated

Bodies Corporate, &c. empowered to sell and exchange Land, &c.

Land separated into small Parcels may be sold or exchanged.

rated

rated into small Parcels, so as to render the Occupation thereof inconvenient, it shall and may be lawful for such Bodies Politic, Corporate, and Collegiate, and other such Land Owners, to contract for, sell, and dispose of, or to convey in Exchange in lieu of other Lands, all or any Part of such Lands, Tenements, or Hereditaments, through or near which the said Cuts and Drains shall be made, enlarged, and straightened, to the said Company, or to any Person or Persons whomsoever, for such Price or Prices in Money, or other Equivalent, as the said Commissioners shall adjudge to be reasonable.

Lord Yarborough to have certain detached Pieces in Exchange.

And be it further Enacted, That immediately upon, and when and so soon as the Land or Ground shall be marked and set out for straightening the said Haven, and for altering and varying the Course and Direction thereof, for the Purpose of acquiring a greater Depth of Water at the Outfall or Mouth of the said Haven, it shall be lawful for the Right honourable *Charles Lord Yarborough* to have and take so much of the said Haven, and the several Pieces or Parcels of detached Land lying beyond the same, and extending from thence Eastwards to the said new intended Cut or Haven, so that the said *Charles Lord Yarborough* may have as an entire and complete a Frontage upon or next to such new or varied Part of the Haven, and as free and open a Communication with and to the same, as he now hath with respect to the said Haven in its present State, he the said *Charles Lord Yarborough* giving and granting to the Mayor and Burgeßes of *Great Grimsby* aforesaid, in Exchange for all such detached Pieces or Parcels of Land and Haven Ground as aforesaid, so much and such Part and Parcel of the Salt Marsh or Fitty Land of him the said *Charles Lord Yarborough*, as shall be settled and agreed upon by and between him and the said Mayor and Burgeßes; or in case of the Refusal of the said Mayor and Burgeßes to make any such Exchange, then in Exchange for so much and such Part of the said Salt Marsh or Fitty Ground, lying near to and communicating with certain Ground of and belonging to the said Mayor and Burgeßes, called the *West Marsh*, as the Commissioners, or the Jury to be impannelled in the Manner hereinafter mentioned, shall allot and set out, in lieu and Exchange of and as a full Compensation to the said Mayor and Burgeßes for so much of the said Haven, and the several other Pieces or Parcels of Ground as shall be so detached and separated by the Means and on the Account aforesaid.

George Robert Heneage, Esq; to be the Purchaser of a Piece of Waste Ground adjoining upon his Close.

And be it further Enacted, That in Consideration that a certain Close of Pasture Ground adjoining the Southern Branch of the said Haven, and belonging to *George Robert Heneage*, Esquire, will, by Means of enlarging such Branch, and making a public Quay on the West Side thereof, be considerably reduced, he the said *George Robert Heneage* shall and

and may purchase, and in like Manner as aforesaid have and take, of and from the said Mayor and Burgeſſes, but nevertheless at and for ſuch and the ſame Price or Value *per Acre* as ſhall be agreed, or otherwiſe, and by the Means by this Act preſcribed, be let upon and paid by the ſaid Company to the ſaid *George Robert Heneye*, for ſo much of his ſaid Cloſe as ſhall be ſo taken by the Reaſon or Means aforesaid; and they the ſaid Mayor and Burgeſſes are hereby impowered, directed, and required to make and convey to the ſaid *George Robert Heneye*, and his Heirs, for ſuch Compensation, at and after the Rate or Price *per Acre* as aforesaid, all that Piece or Parcel of Ground, containing Half an Acre or thereabouts, now lying Waſte in the ſaid *Eaſt Marſh Common Paſture*, and immediately next to and adjoining upon the ſaid Cloſe, on or towards the Eaſt; and upon Payment or Tender by the ſaid *George Robert Heneye*, or his Heirs or Aſſigns, or any Perſon or Perſons for or on his or their Behalf, to the Mayor or Chamberlains of the ſaid Borough, or any of them, of ſuch Compensation as aforesaid, the ſaid Piece or Parcel of Waſte Land, and the Fee Simple and Inheritance thereof ſhall from thenceforth be veſted in, and become the Property of the ſaid *George Robert Heneye*, and his Heirs and Aſſigns, freed and for ever diſcharged of all Right and Title of Common in, over, or upon the ſame, as fully and effectually as if the ſaid Mayor and Burgeſſes, or any other Perſon or Perſons having any Intereſt or Claim in, to, or upon the ſame, had actually conveyed the ſame.

And be it further Enacted, That *George Tennyſon*, Eſquire, ſhall and may purchase, and in like Manner have and take of and from the ſaid Mayor and Burgeſſes, and the ſaid Mayor and Burgeſſes are hereby directed, required, and impowered to make and convey to him and his Heirs, as well the ſaid Piece or Parcel of Land or Ground called or known by the Name of the *Coal Hill*, and which ſome Years ſince, by Means of ſtraightening that Part of the ſaid Haven lying againſt the ſame, did become the Frontage to the ſaid Haven when ſo altered, to the Excluſion of the then and preſent Owner of the Land next adjoining thereto, as ſo much of the ſaid Haven, and other the detached Pieces or Parcels of Land lying beyond and extending from thence Eaſtwards to the ſaid new Cut or Haven, after the ſame ſhall be ſo ſtraightened, altered, and varied as aforesaid, ſo that the ſaid *George Tennyſon* may have an entire and complete Frontage upon and next to the ſaid Haven, after, and in all ſuch Parts or Places where as aforesaid the ſame ſhall or may be ſo ſtraightened, altered, and varied, oppoſite to other the Lands of him the ſaid *George Tennyſon*; the Price or Sum or Sums of Money, which all ſuch detached Pieces or Parcels of Land and Haven Ground ſhall be reaſonably worth, to be aſcertained, ſet, and fixed, in caſe of the Diſagree-

George Tennyſon, Eſq; to be the Purchaſer of the Coal Hill and other detached Pieces.

ment of the Parties, in such and the like Manner as in this Act is mentioned and prescribed, with respect to the Land and Ground to be had and used by the said Company for the Purposes of the said Undertaking.

Company to
convey certain
decided Par-
cels of Ground
to the Mayor
and Burges-
ses.

And whereas the said Mayor and Burgeses have agreed to permit and suffer the said Company, in making and enlarging the said Cuts, Drains, and Ditches, and in enlarging and improving the Navigation of the said Haven, and constructing and making such other Works and Things as by this Act are authorized to be done, to dig and cut, and to have and use certain Land or Ground of or belonging to them the said Mayor and Burgeses, and also that certain Tolls or Dues hereinafter mentioned shall be abolished and extinguished, without requiring any Satisfaction or Compensation for the same respectively, so as that the Pieces or Parcels of Land or Ground, which in straightening the Course and Direction of a certain Ditch or Creek called *Piper Creek*, shall or may be separated from certain Marsh Ground of and belonging to *Elizabeth Lee*, Widow, together with so much of the said Ditch or Creek as shall be left on the East Side of any such new Cut or Cuts, and next to and adjoining the Ground of and belonging to the said Mayor and Burgeses, called the *West Marsh*, in case such Ditch or Creek shall be wanted or required to be so straightened, be conveyed and assured by the said Company to the said Mayor and Burgeses, and their Successors and Assigns, so soon as the same shall or may be purchased by them of the said Owner thereof; Be it therefore Enacted, That the said Company shall, and they are hereby authorized and required, for the several Considerations aforesaid, immediately upon and so soon as the same shall be purchased by them of the said Owner thereof, to convey and assure unto and to the Use of the said Mayor and Burgeses of *Great Grimsby*, and their Successors and Assigns, so much of the said Ditch or Creek called *Piper Creek*, and so much of the Land or Ground of the said *Elizabeth Lee*, which, by Means of straightening the Course and Direction of the said Ditch or Creek (in case the same shall be necessary) shall be divided and separated from other the Land or Ground of her the said *Elizabeth Lee*, and to whom by Reason of such Separation and Division, a Satisfaction or Compensation shall be made, or adjudged to be made by the said Company.

Power given to
reconvey and
make Ex-
changes.

And be it further Enacted, That it shall and may be lawful for the said Company, or such other Person or Persons to whom such Conveyance shall be made, by any Writing or Writings to be by him, her, or them, sealed and delivered in the Presence of, and attested by Two or more credible Witnesses, to sell and dispose of, or to convey in Exchange all or any Part of such Lands, Tenements, or Hereditaments which they may purchase as aforesaid; all which Contracts, Agreements, Sales, Leases,

Leases, Assignments, Conveyances, Assurances, and Exchanges, and which shall be made in the Form set forth in the Schedule to this Act annexed, or in any other Form of Words to that or the like Effect, shall be valid and effectual in the Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof in any wise notwithstanding; and all Bodies Politic, Corporate, and Collegiate, and all Persons whomsoever so conveying or exchanging as aforesaid, are hereby indemnified for what he, she, or they, or any of them shall respectively do by virtue of or in pursuance of this Act; and all such Contracts, Agreements, Bargains, Sales, Leases, Assignments, Conveyances, Assurances, and Exchanges (other than those which concern any Purchase or Exchange between any such respective Land Owners) shall be made in the Form set forth in the Schedule to this Act annexed, or any other Form of Words to that or the like Effect, at the Expence of the said Company, at whose Expence also the same shall be inrolled by the Clerk of the Peace for the said Part of *Lindsey*, in the County of *Lincoln*, or the Town Clerk of the said Borough of *Great Grimsby*, as the Case may be, and true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; for which Inrolment, or a Copy thereof, the Clerk of the Peace or Town Clerk aforesaid, shall have and receive from every Person or Persons requiring the same, the Sum of Six Pence and no more for every Hundred Words, and so in Proportion for any less Number of Words; and every such Conveyance or Exchange as aforesaid, which shall be made to any Person or Persons other than the said Company, shall be made in the Form in the said Schedule set forth, or any other Form of Words to that or the like Effect.

Deeds to be
inrolled.

And be it further Enacted, That on Payment of such Sum or Sums of Money, or giving such Security as the Commissioners hereby appointed shall approve, for Payment of any such Annual Rent, or setting out such Land in Exchange as shall have been respectively contracted or agreed for between the Parties, or determined and adjusted by the said Commissioners, or assessed, awarded, and allotted by such Juries as shall be impannelled for such Purpose, for the Purchase or Exchange of any such Lands, Tenements, or other Hereditaments, or as a Recompence for the Yearly Produce or Profits thereof, or as a Compensation for Damages as hereinafter mentioned, to the Proprietor or Proprietors of such Lands, Tenements, and Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money, Rent, or Compensation respectively, or legal Tender thereof made to such Proprietor or Proprietors, or Person or Persons, or to the principal Officer or Officers of any such Body Politic, Corporate, or Collegiate; or if any Proprietor or Proprietors, or Person or Persons so entitled or

Lands, &c. to
be vested in
Company upon
Payment or
Tender of
Purchase
Money.

interested,

interested, or any of them cannot be found or ascertained, or shall refuse to accept such Money, or the Security for such Rents or such Land in or by way of Exchange, then upon Payment and Delivery of such Money or Securities, or setting out of any such Land by way of Exchange as aforesaid, to such Person or Persons as the said Commissioners shall by Writing under their Hands appoint, for the Use of, and to be paid, delivered, or entered on upon Demand, without Fee or Reward, to such Proprietor or Proprietors, or other Person or Persons, Officer or Officers respectively as aforesaid, such Lands and Grounds, Tenements, and Hereditaments, and the Fee Simple and Inheritance thereof, together with the said Yearly Profits, shall from thenceforth be vested in and become the sole and absolute Property of the said Company, to and for the Purposes of this Act for ever, or of such Person or Persons, and his, her, or their Heirs, who by virtue of this Act shall be entitled to purchase and have the same as aforesaid, as fully and effectually as if every Person having any Estate or Interest in the Premises had actually conveyed the same; and such Payment, Security, or Tender, and Land set out in Exchange, shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to, and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder of his, her, or their Issue, and of every other Person whomsoever: Provided nevertheless, that before such Payment, Security or Tender as aforesaid, or such Land shall be so set out in Exchange as aforesaid, it shall not be lawful for any such Person or Persons as aforesaid, for his, her, or their own Use, by Reason of or on the Account hereinbefore mentioned, or for the said Company, or any Person acting under their Authority respectively, to have, dig, cut, or use the Land or Ground, Hereditaments, or Premises of the Person or Persons entitled to such Payment or Security for the Purpose of improving the Navigation of the said Haven, or any other of the Works hereby authorized to be made.

Before Payment, Sec.
Land not to
be used.

Commissioners
appointed, and
the Qualifica-
tion required.

And be it further Enacted, That all Persons seised of Freehold or Copyhold Estates of One hundred Pounds *per Annum* lying in the County of *Lincoln*, and the eldest Son and Heir Apparent of every Person seised of any such Estates within the same County, of the Yearly Value of Five hundred Pounds, and all Persons residing within such County having a Personal Estate alone, or a Freehold and Personal Estate together, of the Value of Three thousand Pounds, shall be and are hereby appointed Commissioners, as well for settling, determining, and adjusting all Questions, Differences, Matters, and Things which shall or may

may arise between the said Company or Committee, and the several Owners and Proprietors of and Persons interested in any Lands, Grounds, Tenements, and Hereditaments that shall or may be affected or prejudiced by the Execution of any of the Powers hereby granted, as for all and every other the several Purposes in this Act mentioned.

And be it further Enacted, That no Person shall act as a Commissioner in any Case in the Execution of this Act, during the Time of his holding any Place of Profit arising out of the Rates or Duties to be had or collected under or by virtue of this Act, or of his being a Proprietor in the said Haven Navigation, or concerned or interested in any Contract or Bargain to be made for any of the Purposes of this Act, or in any Case where he shall be anywise interested or concerned in the Matter in Question; nor shall any Person act as a Commissioner in the Execution of this Act, until he shall have taken and subscribed the Oath contained in the Schedule to this Act annexed, before some One of the said Commissioners, who is hereby authorized and empowered to administer the same, notwithstanding such Person so qualified as aforesaid to act as a Commissioner shall not then have taken and subscribed such Oath himself; and if any Person by this Act made incapable of acting as a Commissioner, shall nevertheless presume to act as such in the Execution of this Act, every such Person shall for every such Offence forfeit the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit by Action at Law in any of His Majesty's Courts of Record at *Westminster*, and such Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act: Provided nevertheless, that such of the said Commissioners who are or shall be in the Commission of the Peace for any of the Parts or Divisions in the County of *Lincoln*, or be Mayor or a Justice for the Time being of and for the Borough of *Great Grimsby*, shall and may, and are hereby authorized and empowered to act as Justices of the Peace in the Execution of this Act, notwithstanding their being Commissioners.

Commissioners not to act where interested, and to take an Oath.

Acting unqualified to forfeit £. 50.

Commissioners may act as Justices.

And be it further Enacted, That upon any Application to be made by the said Company or Committee, or by any of the Owners or Occupiers of any Grounds, Lands, Tenements, or Hereditaments to be affected by the said Undertaking, or any of the Works necessary or relating thereto, or by or in Execution of any of the Powers hereby given, or by Reason or Means of the Neglect or Omission of the said Company or Committee, or any Officer, or other Person employed by or acting under them, unto the Commissioners appointed by and for the Purposes of this Act, or any Three or more of them, desiring them to appoint a General

Commissioners when required by Company, Committee, or Owners of Lands, to hold General Meetings.

Meeting of the Commissioners, the Commissioners so applied to, or any Three or more of them, may and shall, and they are hereby respectively authorized and required, within Fourteen Days after such Request or Application, to give Notice in Manner hereinafter mentioned of a General Meeting, to be holden at such Time and Place as shall be specified in such Notice, such Notice not being less than Fourteen Days, or more than Twenty-one Days from the Day on which such Request shall be made to them as aforesaid; and the said Commissioners, or any Three or more of them, are hereby authorized, empowered, and required to meet at the Time and Place so to be appointed, in order for carrying this Act, and the Powers and Authorities hereby given to and vested in them, into Execution, and shall then adjourn themselves, and afterwards meet at any such Place as the said Commissioners there assembled at such Meeting, or the major Part of them, shall think proper and convenient; and if it shall happen that Three Commissioners shall not appear at any Meeting which shall be so appointed to be had or holden, and to adjourn to any other Time, then and from Time to Time, so often as the Case shall happen, such Meeting shall be deemed adjourned to that Day Three Weeks, to be holden at the same Place.

Commissioners
may call Meet-
ings notwith-
standing Ad-
journments.

Provided nevertheless, and be it further Enacted, That it shall be lawful for Three or more of the said Commissioners, and they are hereby empowered, although they shall not be assembled at a Meeting to be holden by virtue of this Act, from Time to Time and at all Times, upon any Request made in Manner aforesaid, by Notice in Writing signed by them and published in Manner hereby directed, to summon a Meeting of the said Commissioners at such Time and Place as shall be mentioned in such Notice, for the settling and determining of such Questions, Differences, Matters, or Things as are herein directed to be settled and determined, notwithstanding any Adjournment or Non-adjournment of the said Commissioners.

Notice to be
given of their
Meetings.

Provided always, That no Meeting of the Commissioners shall be good or effectual for any of the Purposes of this Act, unless previous Notice of the Time and Place thereof, and the Business proposed to be done, under the Hand of the Clerk for the Time being of the said Commissioners, shall be first published in the *Lincoln and Stamford News-paper*, or some other News-paper then circulating in the County of *Lincoln*, and in such other Manner as the said Company shall at any General Meeting appoint, at least Fourteen Days before every such intended Meeting of the said Commissioners, unless the Business to be transacted at any such Meeting, of which such Notice as aforesaid shall have been given, shall not be concluded on the Day mentioned in such Notice, in which Case the Commissioners may from Time to Time adjourn to the succeeding Day, or if
such

such Day be *Sunday* then to the Day following, and in like Manner from Day to Day, and proceed in such Business until the same be finished, without any Notice to be given of the Meetings holden by any such last-mentioned Adjournments.

And be it further Enacted, That no Order or Determination, or other Business, Matter, or Thing, shall be made, done, ended, or completed at any Meeting of the said Commissioners for any of the Purposes of this Act, unless Three or more Commissioners, or such larger Number as herein particularly mentioned shall be present, and the major Part of such Commissioners then present shall respectively concur therein; and the said Commissioners shall at all such Meetings as aforesaid defray their own Charges and Expences (other than and except their travelling Expences to and from *Great Grimsby* aforesaid, and their reasonable Expences during their necessary Continuance there) as often as the Business of or in anywise relating to the said Haven Navigation shall render such Meetings and Journeys expedient, which Charges and Expences shall from Time to Time be borne and defrayed by the said Company out of the Monies to be raised under or by virtue of this Act.

Orders, &c. of Commissioners to be made by a Majority.

Their Expences to be defrayed.

Provided always, That every Meeting of the said Commissioners, and also of the said Company and Committee shall be holden at some convenient Place to be for such Purpose from Time to Time appointed, within the Town of *Great Grimsby* aforesaid, and not elsewhere.

All Meetings to be held at *Grimsby*.

And be it further Enacted, That they the said Commissioners are hereby impowered, by Writing under their Hands, to determine and adjust from Time to Time, the Lands to be given in Exchange for such detached Pieces or Parcels of Land as are hereby authorized to be had and taken, and the Value thereof respectively, and also what Sum or Sums of Money shall be paid by the said Company, and other the Persons hereby authorized to purchase, either by an Annual Rent or Payment, or by a Sum of Money in Gross, to and at the Election of such Bodies Politic, Corporate, or Collegiate, Person or Persons respectively, who shall be so entitled or interested as hereinbefore mentioned, for the absolute Purchase of the Lands or Grounds which shall be taken, or be cut, dug, damaged, or used, as well by such Person or Persons for his and their own Use and Uses, as by the said Company for the Purposes of this Act, or to facilitate the carrying on and effecting the Improvement of the said Navigation, or any Part thereof, or other the Purposes herein mentioned; and also to determine and adjust the Recompence to be made for any Damage which shall be occasioned by any of the Works of the said Navigation, or which may at any Time or Times hereafter be sustained

Commissioners to settle for Purchases;

and give Recompence for Damages.

Where Parties
are dissatisfied
with the Com-
missioners De-
termination,

sustained by such Bodies Politic, Corporate, or Collegiate, or any Person or Persons respectively, being Owners of or interested in any Messuages, Lands, Tenements, and Hereditaments, for or by Reason of the improving the Navigation of the said Haven, or of supplying the same with Water, or by obstructing and impounding the Water, or by the flowing, leaking, or oozing of the Water over or through the Banks of the said Haven, Cuts, Drains, Ditches, Passages, Gutters, or Watercourses, which shall be made pursuant to the Powers hereby given for conveying Water into the said Haven, or by not cleansing the said Watercourses, Trenches, or Passages, or by turning or diverting any Streams, Becks, or Brooks into the same, or by Reason or Means of the Execution of any of the Powers, or Neglect, or Disobedience of the Orders and Directions herein contained and given, by the said Company, their Agents, Workmen, or Servants; and in case such Exchange, Price, or Value, Damage, or Recompence respectively, cannot be settled, adjusted, and agreed on, by and between the said Company, or their Agent or Agents for the Time being, or such other Person or Persons so empowered to purchase and take in Exchange respectively as aforesaid, and such Proprietors of and Persons interested in such Lands, Grounds, Tenements, Hereditaments, or Waters as aforesaid; and if the said Company, for and on the Part and Behalf of themselves, or their Committee for and in their Behalf, or any such Body Politic, Corporate, or Collegiate, or other Person or Persons so interested or entitled as aforesaid, for and on his, her, or their Part or Parts, shall refuse to submit any such Matter to the Determination of the said Commissioners, or shall be dissatisfied with any Determination which shall be by them made as aforesaid, or if any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons interested as aforesaid, shall refuse to receive upon due Tender thereof made, such Purchase Money or Annual Rent, or such Recompence or Land in Exchange as shall be so determined to be paid or given, or shall, upon Notice in Writing given to the principal Officer or Officers of such Body Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of such Lands, Tenements, Hereditaments, or Premises, for the Space of Twenty Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Company or their Committee, or by Reason of Absence shall be prevented from treating, or through Disability by Nonage, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement as shall be convenient for the Improvement of the Navigation of the said Haven, and other the Works and Purposes aforesaid, or shall not within the before-mentioned Space of Twenty Days, produce and evince a clear or satisfactory Title to the Premises they are in Possession of, or to the Interest they claim

claim therein, then and in every such Case the said Commissioners shall, and they are hereby impowered and required, from Time to Time, to issue a Warrant under their Hands and Seals to the Sheriff of the County of *Lincoln* for the Time being; or in case such Sheriff or his Under Sheriff shall be interested in the Matter or Matters in Question, then to any Coroner or Coroners acting for or resident within the Parts of *Lindsey* in the same County, not interested as aforesaid, requiring such Sheriff or Coroner to impanel, summon, and return a Jury of Twelve sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues joined in His Majesty's Courts at *Westminster*, to appear before the said Commissioners at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than Fourteen or more than Twenty-one Days after such Warrant shall be served upon the said Sheriff or Coroner; and in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid, the said Sheriff or Coroner shall return other honest and indifferent Men that can or may be speedily procured, to attend that Service, being qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Commissioners are hereby impowered to summon and call before them, all and every Person and Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matter in Question, and to order and authorize the said Jury, or any Seven or more of them, to view the Place or Places, or Matter in Controversy, which Jury upon their Oaths (such Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners, or any One or more of them, are or is hereby impowered to administer) shall enquire of, assess, ascertain, and set out the Sum or Sums of Money, Annual Rent, or Land, to be paid or given for the Purchase of or in Exchange for such Lands, Tenements, Waters, or other Hereditaments, or the Recompence to be made for the Damages that may or shall be so sustained as aforesaid; and the said Commissioners shall give Judgment for such Purchase Money, Rent, Exchange, or Recompence so to be assessed and made by such Jury, which said Verdict, and the Judgment thereupon pronounced as aforesaid, shall be signed by the said Commissioners, and shall be binding and conclusive, to all Intents and Purposes, against all Bodies Politic, Corporate, and Collegiate, and all other Persons whomsoever: Provided always, that Notice of the Time and Place of making such Enquiry and Assessment by a Jury as aforesaid, shall be given to or left at the usual Place of Abode of the Party or Parties interested in, or the Tenant or Occupier of the Pre-

a Jury to be impanelled.

Commissioners to summon Witnesses.

The Verdict of the Jury and Commissioners Judgment thereon to be final.

Previous Notice to be given.

misses in Question, or with the Head or principal Officer of any Body Politic, Corporate, or Collegiate, at least Fourteen Days before such Enquiry.

Determina-
tions of Com-
missioners on
Verdicts to be
recorded.

And be it further Enacted, That all the Determinations of the said Commissioners, which shall be submitted to and acquiesced in and by the Parties concerned, and also the said Judgments and Verdicts (being first signed by Three of the said Commissioners, who shall be present at the making of such Determination, or taking of such Verdicts and pronouncing such Judgments respectively) shall be transmitted to and be kept by the Clerk of the Peace for the Parts of *Lindsey*, in the said County of *Lincoln*, or Town Clerk for the Borough of *Great Grimsby* aforesaid, as the Case may be, amongst the Records of the Quarter Sessions for the said Parts and Borough respectively, and shall be deemed to be Records of the said Quarter Sessions, to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts, and upon all Occasions whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take or make Copies or Abstracts thereof, or take Extracts therefrom, paying the Sum of Six Pence for every Hundred Words contained in every such Copy, Abstract, or Extract, and so in Proportion for any less Number of Words.

Verdicts to
distinguish Va-
lue of Lands
and Damages.

Provided always, and it is hereby further Enacted, That the said Commissioners and Juries respectively shall, in all Determinations, Judgments, and Verdicts which they shall respectively make and give in Execution of the Powers vested in them by virtue of this Act, concerning the Value of Lands and Premises, and Amount of Damages sustained or to be sustained, separate and distinguish the Value of Lands and Premises, and the Money assessed or adjudged for Damages from each other; and the said Commissioners are hereby authorized and required to settle what Shares and Proportions of the Purchase Money, or Recompence for Damages, which shall be so agreed for by the said Company, or determined and adjudged by the said Commissioners, or assessed by the said Juries, in Manner respectively as aforesaid, shall be allowed and paid to each Tenant or other Person, having a particular Estate, Term, or Interest in the Premises, for his, her, or their respective Interests therein; all which said Determinations, Judgments, and Verdicts, shall be final and conclusive to all Intents and Purposes whatsoever, and shall not be removed by *Certiorari*, or other Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or any other Court, any Law or Statute notwithstanding.

And

And be it further Enacted, That the said Commissioners shall not, nor shall any of them be obliged by virtue of this Act, to receive or take Notice of any Complaint to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them sustained, or supposed to be sustained, by any Work, Act, Matter, or Thing done under or in pursuance of this Act, unless Application hath or shall have been made in respect thereof, by or on Behalf of such Person or Persons, to the said Company or Committee, or to the known Agent or Agents of the said Company, or Collector of the Rates or Duties arising from the said Navigation, within the Space of Six Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Complaints not to receive Complaints of Company shall have been first applied to

Provided also, and be it Enacted, That all and every Person and Persons making Complaint, and requesting such Jury as aforesaid, shall (before the said Commissioners shall be obliged to issue out their Warrant or Warrants for the summoning of such Jury) first enter into Bond, with One or more sufficient Surety or Sureties, to the Clerk of the said Company for the Time being, in the Penalty of Fifty Pounds, to prosecute such his, her, or their Complaint, and to bear and pay the Costs and Expences of summoning such Jury, and taking such Inquest, in case a Verdict shall be given for no more or a less Sum or Rent, or Land by way of Exchange, than shall have been offered by or on the Behalf of the said Company, or other Person or Persons, or than had been assessed or settled by the said Commissioners before the summoning and returning the said Jury or Juries, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or any such Damage as aforesaid.

Security to be given for prosecuting Complaints;

and paying the Expences if no greater Allowance be made.

And be it further Enacted, That whenever a Jury is or shall be called by the Commissioners as aforesaid, or any Witness or Witnesses is or shall be examined by and before the said Commissioners alone, or by and before the said Commissioners and Jury jointly, as hereinbefore directed, the said Commissioners shall, and they are hereby required, according to their Discretion, to give and award to each of the said Jurors and Witnesses in every such Case, such Sum or Sums of Money as shall be a reasonable Recompence for the Expences and Trouble of their Journey and Attendance; and in each and every Case, where a Determination or Verdict shall be made or given for more Money, or for a greater Annual Rent, as a Recompence or Satisfaction for the absolute Sale of any Lands, Grounds, Hereditaments, or Premises of any Person or Persons whomsoever, or as a Compensation for any Damages done to such Lands or other Premises, or more Land, or of a greater Value, shall be awarded in Exchange than had been previously offered, made, or set out by or on Behalf of the said Company,

Expences in what Manner to be settled, and how to be paid.

Company, or such other Person or Persons as aforesaid before the Meeting of the said Commissioners, or than had been by them determined, assessed, and awarded as aforesaid, or where any Verdict shall be found for any Damages where the Dispute is for Damages only, and where no Compensation had been previously offered or tendered in respect thereof by and on Behalf of the said Company, then and in every such Case, all the Expence of calling Meetings of such Commissioners, summoning such Jury, and taking such Inquest, shall be settled in like Manner by the said Commissioners, and defrayed by the said Company; but if any Determination or Verdict shall be given for no more or a less Sum, Rent, or other Compensation, than had been previously offered by or on Behalf of the said Company, or had been so determined or assessed by the said Commissioners, or in case no Damages shall be given by the Verdict where the Dispute is for Damages only, or Land or lets Value shall be set out in Exchange, then and in every such Case, the Costs and Expences of calling a Meeting of such Commissioners, summoning such Jury, and taking such Verdicts, shall be settled in like Manner by the said Commissioners, and be borne and paid by the Person or Persons with whom the said Company, or other Person or Persons so also impowered to purchase or make Exchanges as aforesaid, shall have such Concerns, Controversies, or Disputes; which said Costs and Expences having been so settled, shall and may be deducted out of the Money, or any such Annual Rent or Rents so assessed, adjudged, and settled as aforesaid, as so much Money advanced to and for the Use of such Person or Persons, and the Payment or Tender of the Remainder of such Sum or Sums of Money, Rent or Rents, shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums, Rent or Rents so assessed, adjudged, and settled; and if the Dispute or Controversy shall be for Damages only, and no such Damages shall be given or assessed by the said Jury or Commissioners, or if such Person or Persons, Bodies Politic, or Corporate, who shall be so adjudged to bear and pay any such Costs and Expences as aforesaid, shall not be entitled to have or receive from the said Company, or other Person or Persons, any Recompence or Satisfaction from which the said Costs and Expences can be deducted, then and in every such Case, the said Company shall and may recover of and from the Person or Persons making Appeal to the said Commissioners or Jury, the Costs to be assessed as aforesaid by such Commissioners, in any of His Majesty's Courts at *Westminster*: Provided always, that whenever any Person or Persons shall, by reason of Absence or otherwise, have been prevented from treating, One Half of such Costs, Charges, and Expences, shall be borne and defrayed by the said Haven Company, and the other Half by such other Person or Persons as aforesaid.

And be it further Enacted, That if any Sheriff, Under Sheriff, Coroner, or other Person, hereinbefore directed to act in the Place of such Sheriff, shall make Default in the Premises, every such Person shall for every such Offence forfeit the Sum of Twenty Pound; and if any Person so summoned and returned as aforesaid upon any such Jury shall not attend, or attending shall refuse to give his Verdict on Oath, or shall in any Manner wilfully neglect his Duty, or if any Person so summoned to give Evidence shall not appear, or appearing shall refuse to be examined upon Oath, or to give Evidence, every such Person so offending, having no reasonable Excuse to be allowed of by the said Commissioners, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be respectively levied and recovered in such Manner as hereinafter is mentioned; and every such Penalty which shall be paid by or recovered from any Person who shall have been summoned to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Commissioners to be injured by the Default of such Witnesses.

Penalties (for Default) on Sheriff, Jury, and Witnesses.

And be it further Enacted, That all and every Person and Persons who, in any Examination to be taken by virtue of this Act, shall give false Evidence before the said Commissioners, or before any Justice or Justices of the Peace, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to such Punishment and Disqualifications, as any Person or Persons can or may be subject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Persons giving false Evidence may be prosecuted.

And be it further Enacted, That all and every Sum and Sums of Money, which is or are to be paid for the Purchase of or in Recompence for the Damage done to any Lands, Tenements, or Hereditaments as aforesaid, to any Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors or Administrators, Husbards, Guardians, Committees, or other Trustees whatsoever, for and on Behalf of any Infants, Lunatics, Idiots, Femmes Covert, or other Cestuique Trusts, or to any Person or Persons whose Lands are limited in strict Settlements, or who are otherwise incapable by Law of selling or disposing, or exchanging the same, shall, in case the same exceeds the Sum of Twenty Pounds, be laid out and invested by such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, or Administrators, Husbards, Guardians, Committees, Trustees, or other Person or Persons, as soon as conveniently may be, in the Purchase of Lands, Tenements, or Hereditaments in Fee Simple, and conveyed to or to the Use of such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbards, Guardians, Committees, Trustees, or such

Money due to Corporations and Trustees exceeding £20 to be laid out to the same Use.

other Person and Persons, and for such Estates, and to, for, upon, and subject to such Uses, Trusts, Limitations, Remainders, Proviso's, and Contingencies, as the Messuages, Lands, Tenements, or Hereditaments for or in respect whereof such Purchase Money or Monies shall be so paid as aforesaid, or Lands, Tenements, and Hereditaments shall be so received in Exchange as aforesaid, were limited, settled, and assured, at the Times such Purchase Monies or Exchanges were so agreed for or ascertained respectively as aforesaid, or so many of such Uses as shall be then existing and capable of taking Effect, all and every of which Conveyances and Settlements (other than those which concern any Purchase or Exchange between or amongst any of the respective Land Owners as aforesaid) shall be made at the Expence of the said Company; and in the mean Time, and until such Purchase or Purchases shall be made, the said Monies shall be placed out by such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Ffcoftees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, or other Person or Persons, in some of the public Funds, or on Government or Real Securities, bearing and producing an Annual Interest in the Names of Two Persons, the One to be nominated by the Party or Parties interested therein, and the other by the said Commissioners; and the Interest arising or to be produced from such Funds or Securities, and also the Annual Rent for such Lands, Tenements, or Hereditaments, where a Rent shall be fixed upon as aforesaid, shall be paid to such Person or Persons respectively, as would for the Time being be entitled to the Rents and Profits of such Lands, Tenements, and Hereditaments so to be purchased, in case the same were purchased and settled pursuant to the Tenor and true Meaning of this Act.

Money allowed for Damages how to be recovered.

And be it further Enacted, That in Default of Payment of such Sum or Sums of Money, at such Times and in such Manner as shall be agreed upon and determined, or assessed and awarded for Damages of any Kind by virtue of this Act, it shall be lawful for the said Commissioners to appoint One or more Person or Persons (from whom the said Commissioners shall take a proper Security) to collect and receive the Rates or Duties by this Act imposed, and thereout, in the First Place, to pay all such Damages as aforesaid, with the Costs (if any) occasioned by such Default of Payment, together with legal Interest, to be computed from the Time such Damages shall be awarded, and also the Costs and Expences of collecting and receiving the said Rates or Duties; and every Person so appointed shall be deemed a Collector of the said Rates or Duties, and shall have the like Powers and Authorities for collecting the same as if he had been appointed a Collector by the said Company, until such Sums of Money, with the Costs and Charges of collecting and receiving the same, shall be paid;

paid; and the Money so to be collected or received by such Person or Persons, shall and is hereby declared to be as so much Money received to the Use of such Person or Persons who shall be entitled to receive such Satisfaction for Damages as aforesaid, in Order and Course respectively as such Determinations shall be in Priority of Time; and after such Damages, Interest, Costs, and Expences shall be paid and satisfied, the Power and Authority of every such Collector of the said Rates or Duties, to be appointed by the Commissioners as aforesaid, shall cease and determine, or otherwise such Party or Parties so aggrieved may sue for and recover the same from the said Company, with full Costs of Suit, by Action at Law in any of His Majesty's Courts of Record at *Westminster*.

Provided always, That in case the Damages, Interest, and Costs, provided to be satisfied out of the Rates or Duties arising from the said Haven Navigation, shall not be paid and satisfied within the Space of Six Calendar Months next after the same shall have been so determined or assessed as aforesaid, that then and in such Case it shall be lawful for the said Commissioners, upon Complaint made to them by or on Behalf of the Person or Persons sustaining such Damages, to issue their Warrant under their Hands and Seals to the Sheriff of the County of *Lincoln* aforesaid, authorizing and empowering such Sheriff to levy and raise the Damages so to be determined and assessed, by Distress and Sale of the Goods and Chattels of the said Company, together with such reasonable Charges as the said Commissioners shall in such Warrant direct or appoint.

Damages not
satisfied within
Six Months to
be levied by
the Sheriff.

And be it further Enacted, That full Recompence and Satisfaction shall be made by the said Company by an Annual Rent or Rents, and not otherwise, for all such Tythes as would have been issuing from or out of any of the Lands which shall be taken or made use of for the Purposes of this Act, to the several Persons who now are, or at any Time hereafter might have become entitled to such Tythes, according to their respective Interests therein, such Tythes to be estimated at the Average Value of the Four Years commencing at *Michaelmas* One thousand Seven hundred and Ninety-one, and ending at *Michaelmas* One thousand Seven hundred and Ninety-five, such Value to be ascertained, in case of any Difference respecting the same, in such and the like Manner as the Value of any Lands or other Hereditaments is hereinbefore directed to be ascertained.

Satisfaction to
be made for
Tythes.

And be it further Enacted, That all and every Yearly Rents or Sums, as shall be agreed upon or settled and ascertained as herein mentioned to be paid and payable by the said Haven Company, shall be charged and chargeable on the Rates, Dues, or Duties arising by virtue of this

Annual Rent
to be charged
upon the Rates,
Dues, &c.

A. S.

Act, and shall be paid by the said Company as the same shall become due and payable; and in case of Non-payment thereof, within Thirty Days next after the same shall become due, it shall be lawful for the said Commissioners, by Order under their Hands and Seals, to appoint One or more Person or Persons taking such Security from him or them as the said Commissioners shall judge sufficient, to receive the Rates, Dues, or Duties hereby granted and made payable, and to pay the same to such Person or Persons to whom such Yearly Rents or Sums shall be due and unpaid as aforesaid, until such Yearly Rents or Sums, with the Costs and Charges of recovering and receiving the same, shall be fully satisfied and paid; or otherwise the said Yearly Rents or Sums may be sued for and recovered with Costs, by Action of Debt in any of his Majesty's Courts of Record at *Westminster*, or at the Election of the Parties entitled thereto respectively, may be recovered by Distress and Sale of the Goods and Chattels of the said Company in such Manner as the Law directs in Cases of Distress for Rent, but so nevertheless that the Goods and Chattels of no other Person or Persons than the said Company shall be seized or distrained by virtue of the Powers hereby given.

Company im-
powered to
raise Money
amongst them-
selves.

And, for enabling the said Company to begin, make, and complete the said Undertaking, and all and every the Works, Matters, and Things by this Act authorized and directed to be done; **Be it Enacted,** That it shall be lawful for the said Company to raise and contribute amongst themselves, and in such Proportions as to them shall seem meet and convenient, a competent Sum of Money for improving and preserving the Navigation of the said Haven, and other the Purposes in this Act mentioned, provided the said Sum doth not exceed the Sum of Twenty thousand Pounds in the whole (except as hereinafter mentioned) and that the same be divided into so many and such Number of Shares as hereinafter directed, each Share not to exceed One hundred Pounds, and that no Person subscribing thereto, or becoming a Proprietor in such Navigation or Undertaking, do or shall become a Proprietor of less than One Share; and the Money so to be raised, is hereby directed and appointed to be laid out and applied, in the First Place, in the Payment and Discharge of all Expences incurred in obtaining this Act, and of taking Surveys and Levels, and in making Plans and Estimates, and doing and providing all other Matters and Things preparatory and previous thereto or in consequence thereof; and all the Residue and Remainder of such Money shall be laid out, applied, and disposed of for and towards the improving the Navigation of the said Haven, and making, doing, and executing all such Works, Matters, and Things as shall be requisite for that Purpose or conducive to that End, and for all and every other the Purposes of this Act, and to or for no other Use, Intent, or Purpose whatsoever.

Money how to
be applied.

And

And be it further Enacted, That the said Sum of Twenty thousand Pounds, or such Part thereof as shall be raised by the several Persons hereinbefore named, and by such other Person or Persons who shall or may at any Time hereafter become a Subscriber or Subscribers to the said Navigation, shall be divided and distinguished into Two hundred equal Shares or Parts, such Shares to be numbered in regular Progression, and every such Share shall always be distinguished by the Number to be appointed for the same, and the said Two hundred Shares shall be, and are hereby vested in the several Persons so subscribing the same, their several and respective Executors, Administrators, Successors, and Assigns, to their and each and every of their own proper Use and Behoof, proportionably to the Sum or Sums they shall severally raise and contribute; and all and every the said Shares are hereby declared to be Personal Estate, and transmissible and descendible as such, and not of the Nature of Real Property; and all Bodies Politic and Corporate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe and pay in the Sum of One hundred Pounds, or such Sum or Sums as shall be demanded in lieu thereof, towards the commencing, carrying on, and completing the Improvement of the Navigation of the said Haven, shall be entitled to and receive, after the same shall be completed and effected, the entire and net Distribution of Two hundredth Part of the Profits and Advantages that shall or may arise or accrue by the Rates and other Sums of Money to be raised recovered, or received by the said Company by virtue of this Act, and so in Proportion for any greater Number of Shares; and every Body Politic or Corporate, or Person or Persons having such Property of One Two hundredth Part or Share in the said Undertaking, and so in Proportion as aforesaid, shall bear and pay a proportionable Sum for and towards the carrying into Execution, and completing the said Undertaking, in Manner herein directed and appointed.

The Money to be divided into Shares.

And be it further Enacted, That every Body Politic or Corporate, and every incorporated Society, or other Person, who shall by virtue of this Act have subscribed or undertaken for One Share of the said Navigation, and their, his, or her respective Successors, Executors, Administrators, and Assigns, shall be deemed a Proprietor for every such Share, and shall have a Vote for each and every such Share in every General and Special Meeting to be held as herein appointed for carrying on the said Undertaking, and for the Management of the Concerns of the said Navigation and Company, which Vote may be given by them, him, or her, or by their, his, or her Proxy, such Proxy being duly constituted in Manner hereinafter mentioned, and every Vote by such Proxy shall be as good and sufficient, to all Intents and Purposes, as if such Principal had

Every Subscriber of One Share to be deemed a Proprietor,

and to have a Vote for each Share.

voted in Person; and whatsoever Question, Election, or Removal of Officers, or other Matter and Thing shall be made, proposed, discussed, or considered in any General or Special Assembly or Meeting to be holden by virtue of this Act, shall be finally determined by the Majority of Votes and Proxies then present as aforesaid, reckoning One Vote for each Share: Provided nevertheless, that no Person shall hold, or give, or deliver more Proxies than for Twenty Shares, and the Appointment of all such Proxies shall be in the Form set forth in the Schedule to this Act annexed, or in Words to that or the like Effect.

No Person to
be Proxy for
more than 20
Shares.

Proprietors to
have Securities
made them un-
der the Com-
mon Seal.

And be it further Enacted, That the said Company of Proprietors shall and may, at the First General Assembly to be held after all or any Proprietor or Proprietors shall have paid, according to the Directions of this Act, the Sum of Thirty Pounds *per Centum* of his, her, or their respective Subscriptions, or as soon afterwards as conveniently may be, execute under the Common Seal of the said Company One separate and distinct Deed for each of the said Shares, and deliver the same, upon Demand, to such Proprietor or Proprietors having made such Payment of Thirty Pounds *per Centum* as aforesaid, every such Proprietor paying to the Clerk Two Shillings and Six Pence and no more for every such Deed or Instrument, and the Entry thereof, as herein is directed, which said Deeds respectively shall vest in such Proprietor or Proprietors, his, her, or their Successors, Executors, Administrators, or Assigns, One Two hundredth Share of the Property of the said Company, but subject to the creating and making more Shares, not exceeding One hundred Shares of One hundred Pounds each, according to the Power hereinafter given to the said Company, in case they shall find it necessary to raise more Money for completing the Improvement of the Navigation of the said Haven and other the Works aforesaid, and which Deeds shall be in the Form contained in the Schedule to this Act annexed, or in Words to that or the like Effect; and in case the said Company shall be necessitated to create or make such additional Shares for the Purposes aforesaid, they shall and may, in like Manner, execute a separate and distinct Deed for each Share of One hundred Pounds so to be raised, and which Deeds respectively shall vest in the Person or Persons advancing the same, his, her, or their Successors, Executors, Administrators, and Assigns, a proportional Part of the Property of the said Company, and shall for such additional Shares be in the Form in the said annexed Schedule contained, or in Words to such and the same Effect; and all which said several before mentioned Deeds, and the Shares therein granted, and all Right and Interest to the same, may be sold, assigned, or transferred by the respective Proprietor or Proprietors to whom the same shall have been given, his, her, or their Successors, Executors, or Administrators, to any Per-
son

son or Persons whomsoever, in such or the like Form of Words as in the before mentioned Schedule is contained.

And be it further Enacted, That if any of the Deeds for or respecting the Shares or the Company aforesaid, shall be worn out, damaged, or defaced, then upon the same being brought and shewn at some General Assembly of the said Company, such Deeds may be cancelled and destroyed, and other similar Deeds given under the Seal of the said Company, to the Person or Persons in whom the Property of such Deeds, and the Shares therein mentioned, shall be at that Time vested; or in case such Deeds shall be burnt or totally destroyed, that then, upon due Proof thereof, fresh Deeds or Securities shall be given to the Person or Persons who were the Owner or Owners of or entitled to such Deeds so burnt or destroyed, so as that a due Entry of the Transfer of such Deed or Deeds (if any such have been made) shall have been entered by the Clerk of the said Company in Manner herein directed.

New Deeds to be given unto old ones being worn out or destroyed.

And be it further Enacted, That every General Assembly of the said Company or Proprietors, to be held as herein mentioned, or such Committee as shall be elected and chosen by or at such General Assembly or otherwise, in the Manner hereby prescribed, shall have Power from Time to Time to make such Call or Calls of Money from the said Company of Proprietors, for defraying the Charge and Expence of carrying on and completing the Works of the said Undertaking, as they from Time to Time shall find wanting or necessary to be provided with for the several Purposes aforesaid, so as that each Call shall not exceed the Sum of Fifteen Pounds for every Hundred Pounds, exclusive of any Arrears of Calls made by the said Subscribers, or any Committee by them appointed, previous to the passing and for the Purposes of this Act, and so as no Call be made but at the Distance of Three Calendar Months at the least from each other, and so as One Calendar Month's Notice thereof at the least (except the First Call after the passing of this Act, which may be at Ten Days Notice) be given by the Clerk of the said Company, by publishing the same in the *Lincoln* and *Stamford* Newspaper, or some other News-paper circulated in the said County of *Lincoln*, or in such other Manner as the said Company shall at any General Assembly direct or appoint; which Money, when so called for, shall be paid into the Hands of the Treasurer or Treasurers of the said Company for the Time being, to be paid and applied in such Manner as the said Company, or the said Committee, shall from Time to Time appoint and direct, for the Use of the said Undertaking.

General Assembly or Committee to make Calls.

And

No Person to
sell after Call
made, without
first paying
the same.

And be it further Enacted, That after any such Call of Monies shall have been made as aforesaid, no Person or Persons shall sell or transfer any Share or Shares, which he, she, or they shall then have in the said Undertaking, until the Monies called for upon their respective Share or Shares to be sold, shall have been first paid, or unless the same shall at the Time or Times of such Transfer be paid to the Treasurer of the said Company, upon the Penalty of forfeiting such Share or Shares to the said Company, in Trust, for the Benefit of the Rest of the said Proprietors, such Forfeiture or Forfeitures nevertheless to be notified and declared at a General Assembly in Manner hereinafter directed.

Calls not com-
plied with, the
Money may be
sued for.

And be it further Enacted, That if any Person or Persons who hath or have subscribed or engaged for One or more Part or Parts, Share or Shares of or in the said Undertaking, shall neglect or refuse to pay the same, or his, her, or their rateable or proportionable Part or Parts thereof, or any Arrears of any such Call so heretofore made as aforesaid, at the Time or Times when the same shall be so called for, and appointed to be paid as aforesaid, it shall be lawful for the said Company, or the said Committee, in the Name of the said Company, to sue for and recover the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Effoign, Protection, or Wager of Law, or more than One Impar lance shall be allowed; and if such rateable Part of any such Share or Shares shall remain unpaid or undischarged for the Space of Two Calendar Months after the Time so appointed for Payment thereof as aforesaid, then he, she, or they so neglecting or refusing, shall forfeit the Sum of Five Pounds for every Hundred Pounds of his, her, or their respective Share or Shares, Parts and Interests in the said Navigation, Undertaking, and Premises; and in case such Person or Persons shall, after Notice, refuse or neglect to pay his, her, or their rateable or proportionable Part or Share, or Parts or Shares of the said Money, to be called for after such First Call as aforesaid, for the Space of Six Calendar Months after the Time appointed for Payment thereof as aforesaid, then he, she, or they so neglecting shall forfeit all his, her, and their respective Share and Shares, Parts and Interests in the said Navigation, Undertaking, and Premises, and all the Profit and Benefit thereof; all which Forfeitures shall go to the Rest of the Proprietors, in Proportion to their respective Interests in the said Undertaking.

Penalty of £. 5
on each Share
for Neglect of
Payment for
Two Months.

Shares to be
forfeited upon
Six Months
Neglect.

No Forfeiture
unless declared
at a General
Meeting.

Provided always, That no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Navigation and Undertaking, unless the same shall be declared to be forfeited at some General Assembly of the said Company, who shall meet within Six Calendar Months next after

after such Forfeiture shall happen to be made; and every such Forfeiture shall be an Indemnification and Discharge to and for every Proprietor so forfeiting, against all Suits, Actions, or Prosecutions whatsoever, to be commenced or prosecuted for any Breach of Contract or other Agreement between such Proprietor so forfeiting, and the Rest of the said Company of Proprietors, with Regard to carrying on the said Undertaking.

To be a Discharge to all Suits.

And be it further Enacted, That if any Owner or Owners of any Share or Shares in the said Undertaking, shall die before Calls shall be made for the full Sum to be advanced on each Share which he, she, or they shall have been possessed of or entitled unto, without having made Provision by Will or otherwise how such Share or Shares shall be disposed of, and the Money paid in upon Calls for the future, then and in such Case the Executors or Administrators of any such Owner or Owners so dying, and the Trustee or Trustees, Guardian or Guardians of any Infant, or other Person or Persons whomsoever entitled to the Estate and Effects of such deceased Owner, shall be indemnified for paying any Sum of Money when called for as aforesaid to complete any such Subscription; and if such Owner deceased shall not have left Assets sufficient, or in case the Executors, Administrators, Trustees, or Guardians, shall refuse or neglect to answer such Calls or Payments, the said Company shall be, and are hereby empowered, authorized, and required to admit any other Person or Persons to be a Proprietor or Proprietors of the Share and Shares of such Owner or Owners deceased, on Condition that he, she, or they so admitted, do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Owner or Owners, or to the Trustee or Trustees, Guardian or Guardians of any Infant or others entitled to his, her, or their Effects, the full Sum and Sums of Money which shall have been by such Owner or Owners in his, her, or their Lifetime, by virtue of any Call or Calls or otherwise, advanced upon such Share or Shares; and in Default of such Calls being answered and made good in Manner aforesaid, it shall be lawful for the said Company to sell and dispose of the Share or Shares of such deceased Owner or Owners, and to pay and apply the Money arising by such Sale (after deducting the reasonable Charges occasioned thereby) to and for the Benefit of the Representatives of such deceased Owner or Owners.

Executors, &c. of Owners of Shares indemnified for satisfying Calls.

Company may admit others where Owners die without Assets, or their Executors, &c. neglect answering Calls.

And whereas much Inconvenience may arise by the frequent Transposition and Change of the Right and Title to the Shares of and in the said Undertaking, by the Marriage and Death of Proprietors, and it may be difficult in such Cases to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid and do be-

Proofs required where Rights accrue by Marriage or Death.

long; It is therefore further Enacted, That before any Person or Persons, who shall claim any Part or Share of the Profits of the said Undertaking in Right of Marriage, shall be entitled to receive the same, an Affidavit, containing a Copy of the Register of such Marriage, or the Effect or such Register, shall be made and sworn to by some credible Person, before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk for the Time being of the said Company, who shall file the same, and make an Entry thereof, in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers and Sales of Shares in the said Undertaking; and that before any Person or Persons, who shall claim any Part or Share of the Profits of such Undertaking, under or by virtue of any Will or Bequest, or in a Course of Administration, shall be entitled to receive the same, the said Will or the Probate Copy thereof, shall be produced and shewn to the said Clerk, or an Affidavit, containing a Copy of so much of such Will as shall relate to the Disposition of the Share or Shares of the Testator, or of the Letters of Administration, in case the Proprietor shall have died intestate, shall be so made and sworn to by the Executor or Executors of such Will, or by the Administrator or Administrators of the Estate and Effects (as the Case may happen to be) or affirmed in case of such Executor or Administrator being a Quaker, before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall also be transmitted to the said Clerk, who shall file and enter the same as before directed, and who shall be paid for every such Affidavit and Entry the Sum of Two Shillings and no more.

The Mayor and Burgeſſes of Grimby and the Friendly Society there, enabled to purchase Shares.

And be it further Enacted, That it shall be lawful for the Mayor and Burgeſſes of the Town or Borough of *Great Grimby*, and the Royal *Grimby* Friendly Society, established at *Great Grimby* aforesaid, and they are hereby respectively authorized, enabled, and empowered, with the Money or Effects belonging to such Corporation and Society respectively, to become Subscribers to or purchase Shares in the said Undertaking, Works, and Premises, on Account of and for the Use and Benefit of such Corporation and Friendly Society respectively, any Ordinance, Statute, Law, Charter, Grant, or other Matter or Thing to the contrary thereof, in anywise notwithstanding; and that it shall be lawful for the said Mayor and Burgeſſes, by the Mayor or his Deputy for the Time being, and for the said Friendly Society, by One of the Stewards thereof for the Time being, to represent the said Corporation and Society respectively, and to vote to the Extent of the Shares which shall be held by the said Mayor and Burgeſſes, and by the said

Mayor or his Deputy, and Steward of Friendly Society, to vote for such Shares, &c.

said Friendly Society respectively, at all Meetings which shall or may be held by the said Haven Company.

And be it further Enacted, That in case the said Sum of Twenty thousand Pounds hereinbefore authorized to be raised, shall be found insufficient for the several Purposes in this Act mentioned and expressed, then and in such Case it shall be lawful for the said Company of Proprietors, and they are hereby authorized and impowered to raise and contribute amongst themselves, either rateably and in Proportion to the several Sums by them respectively advanced and paid, or by such and so many of them as shall be willing and desirous of raising and advancing the same, or any Part or Parts thereof, any further or other Sum or Sums of Money for such the Purposes aforesaid, or any of them, not exceeding the Sum of Ten thousand Pounds; and in Default of the Whole, or so much thereof as shall be so necessarily wanted being so raised, it shall be lawful for the said Company to supply and make good such Want or Deficiency by the Admission of new Subscribers, and every Subscriber towards raising such further or other Sum of Money, shall stand interested in all the said Profits and Powers of the said Navigation, proportionably to the Sum he or she may subscribe thereunto, as generally and extensively, to all Intents and Purposes, as if such further Sum or Sums hereby allowed to be subscribed for had originally been Part of the said Sum of Twenty thousand Pounds, any Thing herein contained to the contrary thereof in anywise notwithstanding; or otherwise, and in Default of the same, or any Part thereof, being so raised as aforesaid, it shall be lawful for the said Committee to borrow and take upon Mortgage at Interest, not exceeding legal Interest, all or any Part of the said Sum of Ten thousand Pounds upon the Credit of the said Navigation, Undertaking, and Premises, and the Rates and Duties arising by virtue of this Act, or any Part thereof, as to them shall seem convenient; and they the said Committee are for that Purpose hereby fully authorized and impowered, under the Common Seal of the said Company, to mortgage, assign, and make over the said Haven, Works, and Premises, and the Rates and Duties arising and to arise by virtue of this Act, or any Part thereof (the Costs and Charges of making such Assignment to be paid out of such Rates and Duties) as a Security for all and every Sum or Sums of Money so to be borrowed by them at Interest as aforesaid, not exceeding legal Interest, to all and every Person and Persons, his, her, or their Trustee or Trustees, who shall advance the same, in the Form set forth in the Schedule hereunto annexed, or in Words to that or the like Effect: and all and every Person and Persons, to whom any such Mortgage or Assignment shall be made, shall be equally entitled to his, her, or their Proportion or Proportions of the

If £20,000 be insufficient, Company may raise £10,000 more amongst themselves, or by Admission of new Subscribers, or Committee, may raise the same by Mortgage.

Mortgagees im-
powered to
assign their
Securities.

said Rates, Duties, and Premises, according to the respective Sum or Sums in any such Mortgage or Assignment mentioned to be advanced, by him, her, or them, without any Preference by Reason of Priority of any such Security, or on any other Account whatsoever, and the Money so borrowed shall be applied in such Manner as other the Monies to be raised by virtue of this Act, are directed or authorized to be applied, and to no other Use, Intent, or Purpose whatsoever; and all and every Person and Persons to whom any such Mortgage or Assignment, or Mortgages or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time assign or transfer his, her, or their Right, Title, Interest, or Benefit to the Principal and Interest thereby secured, to any Person or Persons whomsoever, by such Form of Assignment as is set forth in the Schedule to this Act annexed, or in Words to that or the like Effect, and every such Assignee may in like Manner, and under the Regulations in this Act directed and prescribed, assign again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons, who shall have made such Transfer or Assignment, at any Time afterwards to annul, make void, or discharge the same, or the original Mortgage, or any Monies thereby secured, or any Part thereof; and after such Entry as hereafter mentioned, every such Transfer or Assignment shall entitle such Assignee, his, her, or their Successors, Executors, Administrators, and Assigns, to the full Benefit of the original Mortgage.

Mortgagees
not to be deem-
ed Proprietors.

Provided always, That no Person to whom any such Mortgage, Assignment, or Transfer shall be made as herein mentioned, shall be deemed a Proprietor of any Share, or shall be capable of acting or voting as such, either as Principal or Proxy, at any Meeting of the said Company, for or on Account of his, her, or their having lent and advanced any Sum or Sums of Money on the Credit or Security of any such Mortgage, Assignment, or Transfer, under or by virtue of this Act.

Interest of
Mortgage Mo-
ney to be first
paid.

And be it further Enacted, That the Interest of the Money which shall be so borrowed by or on Mortgage as aforesaid, shall be paid to the several Persons entitled thereto, out of the Principal Monies which shall be raised by virtue of this Act, until such Time as the said Rates shall become payable, and thence afterwards by and out of such Rates and Duties, in Preference to any Interest or Dividends due and payable by virtue of this Act to the said Company of Proprietors, or any of them, and shall from Time to Time be fully paid and discharged, or provided for, before the Yearly or other Interest or Dividends due to the said Proprietors shall be made, paid, or divided.

And

And be it further Enacted, That all and every Deed, Transfer, Mortgage, or Assignment of any Share, Right, or Interest, of or in the said Navigation, Works, and Premises, which shall have been made in pursuance of the Powers and Directions hereby given, shall, within Thirty Days next after the respective Dates thereof, be produced and shewn to the Clerk for the Time being to the said Company, who shall thereupon make an Entry or Memorial thereof in One or more Book or Books to be kept for such Purpose, containing the Dates thereof, and the Names of the Parties thereto, and the Sum or Sums borrowed or taken by way of Mortgage, and the Rate of Interest to be paid in respect thereof, and the said Clerk shall be paid the Sum of Two Shillings and Six Pence for every such Entry in such Book or Books, which shall and may be perused *gratis* at all seasonable Times by all and every Person and Persons in anywise interested therein.

Transfers and Assignments to be entered by the Clerk.

And be it further Enacted, That in Consideration of the Charges and Expences the said Company will incur and sustain in widening, deepening, straightening, and varying the said Haven, and in making, erecting, and providing the several Works, Matters, and Things by this Act authorized to be executed, done, and performed for the Improvement and Preservation of the Navigation thereof, and also in making a Quay or Wharf, and other Conveniencies and Accommodations for the Trade of the said Port, and in supporting, maintaining, and keeping the same respectively in Repair for the future, it shall and may be lawful for the said Company, and they are hereby authorized and impowered, from Time to Time and at all Times from and after the said Haven shall be so enlarged, varied, and improved, and rendered capable of admitting Ships or other Vessels to enter into and navigate the same, to ask, demand, recover, and receive for every Coasting or other Ship or Vessel coming into or going out of the said Haven or Harbour within the Port of *Grimby* aforesaid, and not going to or coming from any Port or Place lying within or adjoining upon the Rivers *Humber*, *Trent*, or *Ouse*, or other navigable Rivers or Waters extending still further within Land, or which shall unlade or put on Shore, or lade or take on Board any of their Cargo or Freight, or any Goods, Wares, or Merchandize within or from off the said Haven; and also to ask, demand, recover, and receive for all Goods, Wares, Merchandize, Commodities, or other Things whatsoever, in Rafts or otherwise, which shall be brought, carried, or conveyed into or out of the said Haven in or by any Ship, Sloop, or other Vessel navigating the said Rivers *Humber*, *Trent*, or *Ouse*, or going to or coming from any other River, navigable Canal, Haven, Creek, or other Water falling into or communicating therewith, or with any or either of them, by Tonnage or otherwise, such Sum and Sums of Money, Tolls, Rates, or Duties respectively, as the said Company, at any General or Special

Imposition of Tonnage and other Rates and Duties.

General Assembly or Meeting to be held as in and by this Act is directed, shall from Time to Time order, direct, and appoint, not exceeding the several Tolls, Rates, or Duties next hereinafter mentioned; (that is to say)

For every Ship or Vessel coming to or going between the Port of *Grimby*, and any Port to the Northward of *Tarmouth*, or any Port to the Southward of the *Holy Island* (not laden with Corn, Grain, or Seeds, or if in Part so laden, then for the Residue of the Tonnage of such Ship or Vessel) Two Pence *per Ton* :

For every Ship or Vessel coming to or going between the Port of *Grimby*, and any Port or Place between the *North Foreland* and *Sbetland*, on the East Side of *England* (except and in Manner as last mentioned) Three Pence *per Ton* :

For every Ship or Vessel trading between the said Port of *Grimby*, and any Port or Place in *Great Britain* (except all such Ports and Places to which the Communication is by Means of the River *Humber*, or any other River, navigable Canal, or Water falling into or communicating either mediately or immediately with the said River *Humber*, and also except and in Manner as first above-mentioned) Six Pence *per Ton* :

For every Ship or Vessel trading between the said Port of *Grimby*, and any Port or Place in *Denmark*, *Sweden*, or *Norway*, below *Elfinore*, or any Port or Place in *Germany*, *Holland*, *Flanders*, *France*, to the Eastward of *Ushant* Inland, the Islands of *Guernsey* and *Jersey*, Ten Pence *per Ton* :

For every Ship or Vessel trading between the said Port of *Grimby*, and any Port or Place in the *Baltic Seas*, and all other Ports or Places above the *Sound*, or between the said Port and any Island or Place or Port of *Europe*, to the Westward of *Ushant*, without the Straights of *Gibraltar*, One Shilling and Three Pence *per Ton* :

For every Ship or Vessel trading between the said Port of *Grimby*, and every Port or Place in the *West Indies*, *North* and *South America*, *Africa*, *Greenland*, or any Place to the Eastward of the North Cape of *Norway*, all Places within the Straights of *Gibraltar*, and all Islands and Places in the Ocean to the Southward of *Cape Saint Vincent*, not before named, One Shilling and Nine Pence *per Ton* :

For every Foreign Ship or Vessel coming to or going (with Merchandize, from the said Port of *Grimby*, to any of the before-named Ports or Places, double the Tonnage, Rate, and Duty above-mentioned, unless such Ship or Vessel belongs to and be the sole Property of a *British* Owner or Owners :

For every Ship or Vessel sailing Coastways or otherwise, and coming into the said Haven in Ballast to be laid up (such Ship or Vessel not having made the last preceding Voyage from and out of the said Port of

of *Grimfly*, and paid Duty accordingly upon her Departure from and out of the said Haven, and not being regularly employed in the Trade of the said Port) for every Ton (Coasting Duty included) the Sum of Six Pence :

For every Ship, Sloop, or other Vessel coming into the said Haven, to prevent being taken by an Enemy, or for the Repair of any Damage sustained at Sea or otherwise, the Rates or Sums following ; (that is to say)

For every One being Three masted or Two masted, and of the Burthen of Two hundred Tons or upwards, Twenty Shillings ; for every One having Two Masts, and of less Burthen than Two hundred Tons, Fifteen Shillings ; and for every Vessel being single masted, Ten Shillings :

For every Pack or Sheet of Wool, Woolflocks, Woollen or Bay Yarn, dried Pelts or Spetches, containing Twelve Tods or Three hundred and Thirty-six Pounds, Four Pence :

For every Ton of Stone, Slate, Bricks, Tiles, Bar and other Iron, and Oak Bark, Six Pence :

For every Chaldron of Lime, usually called a Dozen, and consisting of Thirty-two Baskets, Three Pence :

For every Chaldron of Coals, Sleek, Cinders, Culm, Coke, and Charcoal, consisting of Forty-eight Bushels, Four Pence :

For every Ton of Timber, Wood, Deals, Plank, and Battens, and all Kinds of Groceries, One Shilling :

For every Quarter of a Chaldron of Corn or Grain, Vetches, and Lin-tels, which shall be conveyed from or into the said Haven, to or from any Port or Place within the Kingdom of *Great Britain* or elsewhere, Two Pence :

For every Ton of Linen and Woollen Yarn, Cotton, Flax, and Hemp, manufactured Goods of all Sorts, and of every other Kind of Goods, Wares, or Merchandize, Commodities or Things whatsoever, not before specified, the Sum of Six Pence.

And, for the better ascertaining the Tonnage, Weight, Measure, and Quantity of Stone, Timber, Coals, Corn, and other Goods and Things to be charged with the Payment of such Rates and Duties as aforesaid ;

It is hereby Enacted and Declared, That Sixteen Cubic Feet of Stone, Ten Yards of Flag Stone, from One Inch and an Half to Three Inches thick, and Ten Yards of lineal Curb Stone, from Three to Eleven Inches wide, and from Five to Seven Inches thick, Forty Feet of Oak, Fifty Feet of Ash, Elm, Fir, Deal, Balk, Poplar, or other Timber, or Wood, not cut into Scantlings, and Thirty Deals and Battens, of Twelve Feet long, Three Inches thick, and from Nine to Twelve Inches in Breadth, shall, for the Purposes of this Act, be respectively deemed, rated, and estimated as and for One Ton Weight, and Twenty hundred Weight,

What to be
deemed a Ton,
Quarter, and
Chaldron.

Weight, at One hundred and Twelve Pounds *per* Hundred Weight of Avoirdupoize, shall be deemed and estimated as and for One Ton Weight; and Eight *Winchester* Bushels shall be deemed and taken, for the Purposes of this Act, to be a Quarter or the Fourth Part of a Chaldron; and that in all Cases where there shall be a Fraction of a Ton, Quarter, or Chaldron, in the Weight or Measure of lading in any Ship, Sloop, or other Vessel so to be navigated in or upon the said Haven, a Proportion of the said Rates shall be demanded and taken by the said Haven Company for such Fraction, according to the Number of Quarters of a Ton or Chaldron, or the Fourth Part of a Quarter of Corn contained therein; and in all Cases where there shall be a Fraction of a Quarter of a Ton or Chaldron, or of the Fourth Part of a Quarter of Corn in any such Weight or Measure of lading as aforesaid, such Fraction shall be deemed and considered as a whole Quarter of a Ton or Chaldron, or a Fourth Part or Two *Winchester* Bushels of Corn, and shall be respectively rated and paid for accordingly.

Small Vessels,
&c. not
to pass the
Lock without
Consent, or
paying for
Ten Tons.

And be it further Enacted, That no Lighter, Boat, or other Vessel shall pass through the Lock to be erected and fixed in the said Haven by virtue of this Act, without the Consent of the said Company, or their Clerk in Writing first had and obtained, unless such Lighter, Boat, or other Vessel shall pay a Duty or Rate equal to what would be paid by a Vessel loaded with a Burthen of Ten Tons, unless such Vessel shall be returning after having gone through the said Lock with a greater Burthen than Ten Tons, and paid accordingly.

Officers of the
Customs not to
clear Vessels,
&c. till Re-
ceipt produced
of Payment of
Duties.

And be it further Enacted, That no Ship or other Vessel outward-bound, shall be cleared at the Office of His Majesty's Customs or Subsidies on such outward bound Voyage, by any Officer or Officers of His Majesty's Customs of or for the said Port of *Grimby*, without producing a Receipt under the Hand of the Officer or Person impowered to collect the same, testifying the Payment of the Rates and Duties imposed under the Authority of this Act, or a Certificate to that Effect, which Receipt or Certificate such Officer or other Person is hereby required to give without Fee or Reward, upon Pain of Forfeiture of Twenty Pounds, One Moiety thereof to the said Company, and the other Moiety thereof to the Master or Owner of such Ship or Vessel which shall or may be damnified by any such Neglect or Refusal; and every Customor or Collector, or their Deputies, who shall make or allow any Entries of Customs or Subsidies in any Ship or Vessel before such Receipt or Certificate shall be produced of the Payment of the Sums, Rates, or Duties imposed by virtue of this Act, shall forfeit to the said Company the like Sum of Twenty Pounds, both which said Penalties shall or may be recovered at the Election of the Persons entitled thereto, either
by

Penalty on Of-
ficers neglect-
ing or refusing.

by Distress and Sale of the Offenders Goods and Chattels, or by Suit or Action with full Costs, in any of His Majesty's Courts of Record at *Westminster*, as other the Penalties hereby imposed are hereby directed to be recovered.

And be it further Enacted, That in case the said Sums, Rates, or Duties payable by this Act, or any Part thereof, shall not, upon the same being demanded by the Collector or other Officer or Person appointed in pursuance of the Powers hereby given to receive and collect the same, be discharged and paid, then the said Company shall and may sue for and recover the same, with such Costs as aforesaid, by Action of Debt, or on the Case, in any Court of Record; or such Collector, Officer, or other Person, with One or more necessary Assistants, shall and may go on Board any such Ship or Vessel, in respect whereof, or of any Goods, Wares, Merchandize, or Commodities on Board thereof, such Rates or Duties are or shall be due and payable, and take and distrain the same Ship or Vessel, and all the Tackle, Apparel, and Furniture thereunto belonging, or any Part thereof, or all or any Part of such Goods, Wares, Merchandize, or Commodities with which such Ship or Vessel shall be laden, and the same to detain and keep until Payment shall be made thereof, and of all reasonable Charges for such Seizure and Distress; and in case of any Neglect or Delay in making such Payment for the Space of Three Days after any Distress shall be taken as aforesaid, that then it shall be lawful for the said Collector or other Officer or Person as aforesaid, to sell the said Distress, and therewith to satisfy him or themselves, as well for and concerning the Rate or Duty so neglected or delayed to be paid for, and for which such Distress shall have been made and taken, as also for his or their reasonable Charge in taking, keeping, and selling such Distress, rendering to the Master, Commander, or Owner, or other Person having the Rule or Command of the Ship or Vessel of or from which such Distress shall have been so made or taken, the Overplus on Demand, if any such there shall be.

Power to sue
or distrain on
Non-payment
of Duties.

And be it further Enacted, That if any Master, Commander, or other Person taking upon himself the Command, or appearing to be Master or Commander, or any Owner, Factor, or Consignee of any Ship or Vessel, shall, at any Time after the Rates and Duties hereby granted shall become due and payable, elude or avoid, or attempt to elude or avoid the Payment of any such Rates and Duties, in any Manner, or by any Method or Means whatsoever, such Master, Commander, or other Person aforesaid, shall forfeit to the said Company the Sum of Ten
Pounds,

Persons elud-
ing Payment
to continue
chargeable
and subject to
a Penalty.

Pounds, and shall also stand charged with and be liable to the Payment of the said Rates and Duties which shall be respectively levied and recovered from such Master, Commander, or other Person aforesaid, in such and the like Manner as Rates and Duties, Fines and Penalties are hereinafter directed to be sued for, levied, and recovered.

Tonnage of
Vessels how to
be ascertained,
&c.

And be it further Enacted, That the Tonnage of every Ship or other Vessel using or resorting to the said Haven, shall from Time to Time and at all Times hereafter, as Occasion shall or may require, be ascertained according to the Rules laid down and prescribed in and by an Act passed in the Twenty-sixth Year of His present Majesty's Reign, for the further Increase and Encouragement of Shipping and Navigation, and that the Owner or Master of every such Ship or Vessel shall cause the true Number of Tons Burthen thereof, and the Name or Names of the Owner or Owners thereof, and the Place to which such Vessel shall belong, to be painted or described in the Manner prescribed, and under the like Penalty or Penalties as is or are imposed in and by the said last-mentioned Act, and also in and by One other Act passed in the Thirty-fifth Year of His said Majesty's Reign, for requiring Vessels of certain Descriptions used on navigable Rivers and on inland Navigations in *Great Britain* to be registered, or One of them, and whether the same, or either of them, shall at any Time or Times hereafter be repealed or not, or shall not continue in Force beyond the Term or Time for which the same was or were made.

Collectors, &c.
to enter into
and admeasure
Ships.

And, to the Intent that the said Rates and Duties by this Act imposed or authorized to be taken, and which are directed to be ascertained by the Tonnage of any Ship or Vessel, may be truly ascertained and paid; Be it further Enacted, That in case the Collector of the said Rates and Duties, or such other Person or Persons as shall be empowered to receive the same, and the Master or other Person having Charge or Command of any Ship or Vessel charged with the said Rates or Duties, cannot otherwise agree about and adjust the Tonnage of such Ship or Vessel, that then and so often it shall be lawful for the said Collector, or such other Person or Persons employed under or by Authority of this Act, to admeasure any Ship or Vessel in pursuance of this Act from Time to Time, and at all Times convenient and seasonable to enter into such Ship or Vessel, and to admeasure the same in Manner as before mentioned; and if any Master, Commander, or other Officer of any Ship or Vessel, or any other Person whomsoever, shall obstruct or hinder any such Collector or other Person as aforesaid in admeasuring any such Ship or Vessel, for the Purpose of ascertaining the Duty due and payable for or in respect thereof, every such Master, Commander, or other Person so offending, shall for every such

Penalty on
Masters ob-
structing, &c.

such Offence forfeit the Sum of Ten Pounds, to be recovered, levied, and disposed of in Manner herein mentioned.

And, for the more easy, effectual, and just Collection of the Rates and Duties hereby granted and directed to be paid for or in respect of any Corn or Grain, Vetches, and Lintels, which any Ship, Sloop, or other Vessel going from, or coming or resorting to the said Haven and Port of *Grimby*, to or from any other *British* or any Foreign Port or Place, shall convey, carry, or contain, and also for and in respect of any Goods, Wares, Merchandize, or Commodities which any Raft, Ship, Sloop, or other Vessel going from, or coming or resorting to the said Haven and Port, to or from any Place through or by Means of the River *Humber*, or any Creek, navigable Canal, or other Waters communicating with or falling into the same, shall contain, carry, or convey; Be it further Enacted, That the Master, Owner, or Manager of any Raft, Ship, Sloop, or other Vessel using or navigating in or upon the said Haven, or any Part thereof, shall give to the Collector of the said Rates or Duties, or to any other Officer or Person appointed by the said Company for such Purpose, at the Place where he or they shall on that Account attend, a just Account in Writing, signed by the Master, Owner, or Manager, or other Person or Persons having the Command or Management of such Raft, Ship, Sloop, or other Vessel, of the Gross Quantity or Total Amount of the Goods and other Things, and of their Nature, Sort, or Kind which such Raft, Ship, Sloop, or other Vessel as aforesaid shall contain, or be freighted or laden with; and in case such Goods or other Things shall be liable to the Payment of different Rates or Sums, then such Master, Owner, or other Person shall specify the Quantities of each Sort or Kind for which different Rates or Sums have or can be demanded; and in case he or they shall refuse or neglect to give such Account, or shall refuse to produce his or their Invoice or Bill of Lading to the Officer or Person aforesaid demanding the same, every Person so offending shall forfeit and pay to the said Company, or such Person as they shall appoint, the Sum of Ten Shillings for every Ton of Goods or other Things, and so in Proportion for any less Quantity than a Ton, which shall be in or conveyed by such Raft, Ship, Sloop, or other Vessel respectively, of which or of whose Lading such Account shall be so neglected or refused to be given; and in case such Master, Owner, Manager, or other Person aforesaid, shall give or deliver in a false Account, that then and in every such Case he or they shall forfeit and pay to the said Company, or such Person as they shall appoint, the Sum of Twenty Shillings on each and every Ton, and so in Proportion for any Quantity less than a Ton, which shall exceed the Number of Tons mentioned and contained in such Account so delivered and given in pursuance to the

Directions

Masters of
Coasting Vessels to give an
Account of
their Lading.

Penalty on
Refusal.

Penalty
giving a
Account

Directions of this Act, over and above the respective Sums, Rates, or Duties the same shall be charged with or liable to pay under or by virtue of this Act; and in case of Neglect, Refusal, or Denial of Payment, on Demand made of such Forfeiture or Forfeitures before-mentioned, or any Part thereof, to the said Collector, or other Officer or Person appointed by the said Company to collect the Rates and Duties by this Act granted, that then and in every such Case the same shall be recovered and levied in such Manner, and by such and the like Methods, as such Rates and Duties are hereby directed and appointed to be recovered and levied.

Freight to be weighed or measured in case of any Difference respecting the same.

If more appears than given in, to be at the Master's Charge.

If less, then at the Charge of the Collector, who is to allow for Damages occasioned by the Detention of the Vessel.

And be it further Enacted, That if any Difference shall arise between any Collector of the said Rates or Duties, and the Master or other Person having the Command, Charge, or Management of any Raft, Ship, Sloop, or other Vessel, or the Owner of any Goods, Wares, Merchandize, Commodities, or other Things, concerning the Weight and Quantity of such Goods, Wares, Merchandize, Commodities, or Things, it shall be lawful for any such Collector to stop and detain any such Raft, Ship, Sloop, or other Vessel, until the same shall be weighed, measured, or gauged, and to weigh, measure, and gauge, or cause to be weighed, measured, and gauged, all such Goods, Wares, Merchandize, Commodities, or Things as shall be therein contained; and in case the same shall upon such weighing, measuring, or gauging, appear to be of greater Weight, Measure, or Quantity than the Master, Owner, or Person having the Government, Care, or Management of the said Raft, Ship, Sloop, or other Vessel, declared the same to be, then such Master or other Person aforesaid, so declaring, shall pay the Costs and Charges of such weighing, measuring, or gauging, and all such Costs and Charges, upon Refusal of Payment thereof upon Demand, shall and may be recovered in such and the same Manner as the said Rates and Duties are hereby appointed to be recovered; but if such Goods, Wares, Merchandize, Commodities, or Things shall appear to be of the same or of a less Weight, Measure, or Quantity than such Master or other Person aforesaid so declared the same to be, then the said Collector shall bear and defray the Costs and Charges of such weighing, measuring, or gauging, and shall also pay to such Master or other Person aforesaid, or to the Owner or Owners of such Goods, Wares, Merchandize, Commodities, or other Things, such Damages as shall appear to the Mayor, or other Justice or Justices of the Peace acting for the Time being in and for the Borough of *Great Grimsby*, or for the Parts of *Lindsey* aforesaid, in the said County of *Lincoln*, upon the Oath of One or more credible Witness or Witnesses, to have arisen from or in consequence of such Seizure or Detention; and in Default of Payment thereof, the same shall be levied by Distress and Sale of the Goods and Chattels of such Collector,

by

by Warrant under the Hand and Seal of such Mayor or other Justice as aforesaid, rendering the Overplus, if any, to the Owner of such Goods and Chattels; and the said Company or Committee may, if they think fit, out of the Money to be raised by this Act, reimburse such Collector the Monies so paid by or levied upon him, for or on Account of the Detention of any such Raft, Ship, Sloop, or other Vessel.

And be it further Enacted, That there shall be paid to the said Company, or to the Collector or other Person whom they shall appoint to demand, receive, and recover the same, over and above the Rates and Duties hereinbefore granted and authorized to be taken, and in such and the same Manner as such Rates and Duties are hereby directed and appointed to be paid and recovered, such Sum *per Ton* or otherwise as the said Company shall from Time to Time fix and appoint, not exceeding One Moiety of the Sum or Rate of Wharfage now had and taken within the Port of *London*, for all and every the Goods, Wares, Merchandizes, Commodities, or other Things which shall be landed or discharged upon any of the public Quays or Wharfs of the said Port of *Grimby*, and which are hereby authorized and directed to be made and erected, repaired, and amended, and rendered more commodious and convenient by the said Haven Company.

Wharfage Duties to be paid.

And be it further Enacted, That if any Person or Persons, who shall have landed or caused to be landed and laid on any of the said Quays or Wharfs, or in any of the adjacent Streets, Roads, or Avenues, any Timber, Wood, Iron, Stones, Coals, Bricks, Tiles, Slate, Lead, Lime, Dung, Manure, or any other Goods or Things of any Nature or Kind soever (other than Materials for the necessary Use or Repair of the said Quays or Wharfs, Haven, or any of the Works therein or thereto belonging) shall not convey or remove the same, and every of them, and every Part thereof, from off such Quays or Wharfs, or from or out of such Streets, Roads, or Avenues, within the Space of Forty-eight Hours next after the same shall have been so landed or laid thereon or therein respectively (unless a *Sunday* shall intervene, in which Case Twenty-four Hours longer shall be allowed) it shall and may be lawful for the said Haven Master for the Time being, or his Assistants, and he and they are hereby required to remove or cause the same to be removed to some Place or Places of Safety, and therein to detain and keep the same until Payment shall be made as well of the Charges of such Removal and Detention, as of such Forfeiture to the said Haven Master and his Assistants for their Trouble in and about the same, as the said Committee shall by any Bye Law, Rule, or Order ascertain and establish; and if such Charges and Forfeitures shall not be paid within the Space of Five Days after Demand made thereof

Goods to be removed from the Quays within a limited Time.

If not to be secured by Haven Master, and detained until the Expence and Forfeiture incurred be paid.

If not paid within Five Days Goods to be appraised and sold.

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by the said Haven Master or his Assistants, then and in every such Case such Haven Master is hereby authorized and required to cause the said Goods and Chattels so respectively secured, or a sufficient Part thereof, to be appraised and sold for Payment of the said Charges and Forfeiture, and all other Expences relative thereto, and to the said Appraisement and Sale.

Rates and Duties may be leased.

And be it further Enacted, That it shall be lawful for the said Company, and they are hereby authorized and impowered, at any of their General Assemblies, by Writing under their Common Seal, at any Time or Times to let or demise the said Haven, and Wharfage Rates and Duties by this Act granted, or either of them, from Year to Year, or for any Term not exceeding Three Years at any One Time, for the highest or best Rent or Rents that can or may be had or gotten for the same, either by public Bidding or otherwise, provided that Twenty-one Days previous Notice of the Intention of the said Company to lease or demise the said Rates and Duties, or either of them, and of the Meeting to be held for that Purpose, be publicly given in such or the same Manner as hereinbefore is mentioned, and every such Lessee, and his Servants or Agents shall have the same Powers and Authorities for ascertaining and receiving the said Rates or Duties, as are hereby given to the said Company and the Persons employed by them.

Exemption Dues of Vessels in His Majesty's Service, or conveying Stores, &c. for the public Service;

Provided always, and be it further Enacted, That nothing in this Act contained shall extend to charge any of His Majesty's Ships of War, or other Ships or Vessels employed in or upon His Majesty's Customs, Excise, or Naval Service, or in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them, or any of them belonging, or of any Timber, Stores, or Things purchased, provided, or belonging to His Majesty's Naval or Military Service, the Person or Persons having the Care or Conduct of such Timber, Stores, or other Things, producing a Certificate to that Purport or Effect from the Navy Board or Board of Ordnance; nor to charge any Lime, or other Article, Composition, Matter, or Thing whatsoever, to be used solely and for the only Purpose of manuring any Land or Ground, or any Cobbles, Stones, or other Materials for the making or Repair of any Road, Street, or Causeway; and also not to charge more than One Moiety or Half Part of the Rates and Duties which shall be then payable for or in respect of any Ship or Vessel coming into that Part of the said Haven as is below the Lock, or for or in respect of any Goods, Wares, or Merchandize with which any such Ship or other Vessel shall be freighted, when and at all such Time and Times there shall not be good and sufficient Room and Accommodation for every such Ship or other Vessel to lie, be moored, or deliver her

of Articles of Manure and Materials for Repair of Roads,

her Cargo in the upper or that Part of the said Haven as is above the Lock, or in any Dock or Docks which shall or may at any Time or Times hereafter be made under or by Authority of this Act; and if any Person shall claim or take the Benefit of any Exemption as aforesaid without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Five Pounds.

Provided also, and be it further Enacted, That the Tonnage, Rates, or Duties charged by this Act, on all Ships or Vessels coming into or going from the said Haven, from or to any Foreign Port or Place, shall be paid at the Time of every such Ship or Vessel's Entry Inwards or Clearance Outwards; or in case any such Ship or Vessel shall not enter as aforesaid at the Custom House in or belonging to the said Port, then at any Time before such Ship or Vessel shall proceed from out of the Haven and Port aforesaid; but that nothing herein contained shall extend, or be construed to extend to make any such Ship or Vessel so sailing to or from any Foreign Port or Place, subject or liable to the Payment of the said Rates or Duties, or any of them, more than Once for the same Voyage from or to any such Foreign Port or Place, notwithstanding such Ship or Vessel may go out and return with a Cargo or Loading of Goods or Merchandize; nor to make any Goods, Wares, Merchandize, Commodities, or other Things, which shall have been brought into the said Haven by any Ship, Sloop, or other Vessel, and for which the Rates and Duties charged thereon shall have been paid, subject or liable to any further or other Charge, Sum, or Sums of Money, Rates, or Duties upon the same Goods, Wares, Merchandize, Commodities, or other Things being taken away or from thence in or by the same, or any other Ship, Sloop, or Vessel whatsoever, and whether they, or any of them, or any Part or Parts thereof respectively, shall have been landed or put on Shore or not.

Duties to be paid upon Entry Inwards or Clearance Outwards, but only Once for the same Voyage.

Goods for which the Duty shall have been paid not to be liable to Duty again when re-shipped.

And be it further Enacted, That the said Rates or Duties of Tonnage on Ships or Vessels as aforesaid (except only such Ships or Vessels as shall pass Coastwise, and be called coasting Vessels) shall be deemed and taken to be a Port Charge, and on producing a proper Acquittance for the Receipt thereof, Two Third Parts thereof shall be repaid to the Master or Owner of every such Ship or Vessel by the Merchant or Freightor, Merchants or Freightors, or by his or their Agent or Agents, or by the Shipper or Shippers, Receiver or Receivers of such Goods as may be taken on Board of any such Ship or Vessel liable to the said Rates or Duties of Tonnage, in case such Ship or Vessel hath a complete loading, but if not then only such Part, and so much of the said Two Third Parts as the Tonnage of the Goods on Board bears in Proportion

Certain Parts of the Tonnage Rates to be allowed by the Merchant to the Master

to the said Ship's complete Loading ; and in case of Refusal to repay such Rates or Duties, or any Part thereof, the same shall and may be recovered by Action at Law as in other Cases of Debt.

Duties to be exempt from Parish Rates, &c. when less than £. 5 p. r Cent. Dividend is paid ;

but Land and Buildings belonging to the Company to remain liable.

And be it further Enacted, That all and every the said Rates or Duties hereby granted and authorized to be collected, had, and received, shall during so long Time as the same shall not afford a Dividend to the said several Subscribers of Five Pounds *per Centum per Annum*, be exempted from the Payment of all and every Tax, Rate, Assessment, or Imposition whatsoever, any Law or Statute to the contrary thereof notwithstanding ; but that all and every the Lands and Grounds, Warehouses, and other Buildings (except the said Lock or Watch House with its Appurtenances) which shall belong to or be in the Occupation of the said Company, shall and may from Time to Time be rated to all Parliamentary and Parochial Taxes and Assessments, or the said Company in respect thereof, in the same Proportion as other Lands, Grounds, and Buildings lying near the same, or in the same Parish, and as the same Lands, Grounds, and Buildings so belonging to or occupied by the said Company, would be rateable in case the same were the Property of Individuals in their natural Capacity.

Grimby Corporation Tolls to be extinguished.

And whereas the Mayor and Burgeſſes of the Town and Borough of *Great Grimby* aforeſaid, and the Bailiffs of the ſaid Borough, are reſpectively entitled by Preſcription or otherwiſe to certain Tolls upon or for or in reſpect of certain Goods, Wares, and Merchandize brought into, carried out of, or ſold within the ſaid Town and Borough, and upon the Waggonſ, Cartſ, or Carriages conveying certain other Goods, Wares, or Merchandize, and alſo to certain Dues upon Veſſels coming into the ſaid Haven, by way of and in reſpect of Anchorage and Moorage ; and as the Exaction or inſiſting in future upon the Payment of ſuch Tolls or Dues may be prejudicial to the ſaid Haven Navigation, and to the further Increaſe of the Trade and Commerce of the ſaid Town, the ſaid Mayor and Burgeſſes in Conſideration thereof, and of the great Advantage the Enlargement and Improvement of the ſaid Haven will be to their Property and to the ſaid Town, have agreed that all and every ſuch Tolls and Dues as aforeſaid ſhall be aboliſhed and extinguished, and in Lieu and Stead thereof, or of ſo much thereof as the ſaid Bailiffs are entitled to, and are now in the Receipt of, and alſo in lieu of their Moiety of the Fines or Money cuſtomarily paid upon the Admiſſions of Perſons claiming the Freedom of the ſaid Borough, and called Burgeiſ Money (the Whole of which Fines or Burgeiſ Money is to be from thenceforward received by the ſaid Mayor and Burgeſſes) have conſented and agreed to pay to the ſaid Bailiffs for the Time being, the full and clear Yearly Sum of Twenty five Pounds, and alſo to make good ſuch Deficiency in their Annual Fee Farm Rent, as is occaſioned

tioned by Allowance of Land Tax thereout, and which said Annual Payments it hath also been agreed shall be a Charge upon the Lands and Grounds of the said Mayor and Burgeſſes, and ſhall or may, on Non-payment thereof, or of either of them, or any Part thereof, be diſtrained for in ſuch and the ſame Manner as Rents are authorized by Law to be recovered by Diſtreſs and Sale; Be it therefore Enacted, That immediately upon and ſo ſoon as any of the Rates and Duties by this Act granted and authorized to be taken ſhall be demanded, collected, and received, it ſhall not be lawful for the ſaid Mayor and Burgeſſes of the ſaid Town and Borough of *Great Grimsby*, or the Bailiffs thereof, or any other the Officers or Members of the ſaid Borough, or any other Perſon or Perſons in Truſt for them, or for their Uſe, or on their Behalf or Account, to demand, claim, collect, or receive any Toll or Tolls, Dues or Duties, or any Sum or Sums of Money, by way of or in the Nature of a Toll or Dues for or in Reſpect or on Account of any Goods, Wares, or Merchandizes whatſoever, which ſhall from Time to Time, and at any Time then afterwards be brought into or carried out of the ſaid Town and Borough, or bought or ſold therein, or any Waggon, Cart, or other Carriage in which any Goods, Wares, or Merchandize may be ſo conveyed, or for or in Reſpect of any Ship, Sloop, or Veſſel coming into the ſaid Haven, or the Cargo or Freight thereof; but all and every ſuch Toll and Tolls, Dues and Duties of and belonging to the ſaid Mayor, Bailiffs, and Burgeſſes reſpectively, ſhall from thenceforth ceaſe and be for ever afterwards aboliſhed and extinct, any preſcriptive Right, Charter, Uſage, or Cuſtom to the contrary thereof in any wiſe notwithstanding.

And whereas the Right honourable *Charles Lord Yarborough* is entitled to receive of and from, or for or in Reſpect of every Ship, Sloop, or other Veſſel, coming into the ſaid Haven of *Great Grimsby*, by way of Braconage Dues, certain Payments or Sums of Money, and certain ſpecific Parts and Proportions of the Cargoes with which ſuch Ships or other Veſſels are freighted or laden; and as the Abolition and Extinction of ſuch Dues will be for the future greatly advantageous to the ſaid Company and the Public, the ſaid *Charles Lord Yarborough* hath conſented and agreed, and is willing and deſirous that ſuch Payments or Braconage Dues ſhall ceaſe and be no longer paid or payable, in Conſideration of and upon an adequate Price or Recompenſe by way of Annual Rent, to be charged upon the ſaid Rates and paid by the ſaid Company, who are hereby authorized and impowered to treat for and purchaſe the ſame, as ſhall be agreed upon between the ſaid Company and the ſaid *Charles Lord Yarborough*; or in caſe of their Diſagreement upon ſuch Recompenſe or Satisfaction for the ſame being paid to him by way of Rent as aforeſaid, as the ſaid Commiſſioners, or a Jury to be impanelled in ſuch Caſe and Manner as hereinafter directed, ſhall think reaſonable and proper;

Lord Yarborough's Braconage Dues to be extin-
guished.

per; Be it therefore Enacted, That the said *Charles Lord Tarborough* shall, and he is hereby authorized and required, for and in Consideration of such Annual Rent to be so agreed upon or settled as aforesaid, to convey and assure to the said Company the said Beaconage Dues, in order and for the only Purpose that the same may be fully and absolutely abolished and extinguished; and upon such Annual Rent or Payment being agreed upon, or otherwise settled as a Compensation in lieu thereof, he the said *Charles Lord Tarborough*, or his Assigns, during his Life, nor any Person or Persons after his Decease, who otherwise would be entitled to the same, nor the said Company, or any Person or Persons for them, shall not, at any Time or Times after the Rates or Duties by this Act authorized to be had and received shall be collected and taken, be entitled to claim, demand, collect, or receive, by way of or in the Name or Nature of Beaconage Dues or otherwise, any Sum or Sums of Money, or any Goods, Articles, Wares, or Merchandize or and from any Ship, Sloop, or other Vessel coming into the said Haven; but all such Dues, Payments, and Demands shall from thenceforth cease and be for ever extinguished, and no longer paid or payable, any prescriptive Right, Charter, Usage, or Custom, Will, or Settlement, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding.

Rates for Carriage of Goods from the Quays to the Town, and vice versa, to be fixed by Committee.

And be it further Enacted, That the said Committee at any Meeting, and when and so often as they shall see Occasion, shall, and they are hereby required to ascertain, set down, and fix the Rates and Prices to be paid and payable for the carrying and conveying of any Goods, Wares, or Merchandize, and of Wood, Stone, Iron, and all other Matters and Things from the said several Quays or Wharfs to any Part or Parts of the said Parish of *Great Grimsby*, or from any such Part or Parts to the said Quays or Wharfs in, upon, or by any Horse, Waggon, Cart, Dray, Truck, Sledge, or other Carriage, according to the Distances which the same shall be carried, and also for the loading or unloading thereof respectively, in all such Cases where the same shall be done or performed by the said Carrier, or his Assistant or Assistants, as the said Committee at any of their Meetings shall think reasonable and proper; a Table of which said Rates and Prices shall from Time to Time be written or printed in large Characters, and affixed upon such Quays or Wharfs, and also in some conspicuous Place or Places within the Town of *Great Grimsby* aforesaid; and the said Committee shall have Power to impose such Penalties on Persons taking any other Rates or Prices than as aforesaid as they shall think proper, not exceeding Three Pounds on any One Person for One Offence.

Company to appoint a Haven Master, &c.

And it is hereby further Enacted, That the said Company shall and may, at any General or Special Assembly or Meeting hereby directed or authorized

rized to be held, when and so often as they shall see Occasion, to nominate and appoint, by Writing under their Seal, a proper Person to be Haven Master, together with One or more proper Assiliants, who shall have full Power and Authority to direct the mooring and removing of all Ships and Vessels coming into, or lying or being within or near to the Mouth or Entrance of the said Haven, after the same shall have been so enlarged, straightened, and varied as before mentioned, and also from Time to Time, and when and so often as he shall see Occasion, or be thereunto required by the said Committee, to open the Lock Doors, or draw up the Sluces thereof for the Discharge of the upper or impounded Water, as well for the Prevention of the low Lands and Grounds being flooded as hereinbefore mentioned, as the better to scour out, cleante, and keep open that Part of the said Haven lying below or between the said Lock and the River *Humber*, and for preventing the same from being warped or silted up by Means of the Tide flowing into and over the same, so as Notice be given by the Haven Master to the Masters or other Persons having the Care of the Vessels lying within the said Haven, of such Intention of opening the said Lock Gates or draining off the said impounded Water more than Two Feet in depth at any one Time, Twelve Hours at least before the same be done, under the Penalty of Ten Pounds, to be recovered in the Manner herein directed.

And be it further Enacted, That the said Company shall and may, in the Manner aforesaid, from Time to Time appoint such Collector or Collectors of the Rates and Duties hereby granted or authorized to be collected and received, and also such Treasurer or Treasurers as they shall think fit to employ in the Execution of this Act; and such Collectors and Treasurers shall give Security for the due Execution of their respective Offices, to the Satisfaction of the said Company or Committee, and such Collector and Collectors, and all other Persons who shall receive any Money under or by virtue of this Act, shall from Time to Time pay over all and every the Sum and Sums of Money, which such Collector or Collectors, or other Person or Persons shall receive by virtue of this Act, into the Hands of the said Treasurer or Treasurers, or of such other Person or Persons, at such Times and in such Manner as the said Company shall direct or appoint; and no such Treasurer or Treasurers, or other Person or Persons, shall issue any Sum or Sums of Money for the Use of or on Account of the said Company, without an Order signed by a Majority of the Committee present at any Meeting; and the Treasurer or Treasurers shall be allowed all his or their Expences in the Execution of his or their Office.

Company to
appoint a Col-
lector and
Treasurer.

And be it further Enacted, That the said Treasurers, Collectors, and other Officers, shall fairly enter in the Books to be by them respectively kept

Treasurer,
Collector, &c.
to keep Ac-
counts.

kept for that Purpose, an Account of all Monies by them respectively received and disbursed, specifying the Times when, and the Persons from and to whom such Monies were respectively received and paid, and for what Purposes; which Books, or true Duplicates thereof, respectively signed by the said Treasurers, Collectors, or other Officers, together with the Vouchers for such Expenditures, and also all Books and Papers in their Custody respectively, relating to the Execution of this Act, shall be delivered to the Committee for the Time being, for the Use and Inspection of the said Company, Once at least in every Year, and from Time to Time as often as the said Company or the said Committee shall require the same.

Company or
Committee
may summon
Treasurer,
Collector, &c.

Officers refusing
to account,

their Goods
may be dis-
trained.

For Want of
Distress may be
committed.

And be it further Enacted, That the said Company or the said Committee shall and may respectively, at such Time or Times as they shall think proper, summon before them, and if they think fit examine or cause to be examined upon Oath (which Oath any One of the said Company or Committee is and are hereby empowered to administer) the said Treasurers, Collectors, and other Officers and Persons employed in or intrusted with the Receipt or Expenditure of all or any of the Monies to be raised or received by virtue of this Act; and in case any of the said Treasurers, Collectors, or other Officers or Persons so employed or entrusted as aforesaid, shall be found in Arrear, or shall refuse to account or to pay the Money due upon the Balance of such Account, according to the Directions of the said Company or Committee, then and in every such Case it shall be lawful, upon Application to any One or more of the Justices of the Peace for the County, Division, or Liberty in which such Person so refusing or making Default shall reside and dwell, for such Justice or Justices, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals (and who is and are hereby authorized and required to grant the same) to levy, by Distress and Sale of the Goods and Chattels of the Person or Persons so found in Arrear, or refusing to account, or to pay the Money due upon the Balance of such Account as aforesaid, such Sum or Sums of Money as he or they shall be required to account for, or shall be found due upon the Balance of his or their Account or Accounts; and for Want of sufficient Distress it shall be lawful for any One or more of such Justices of the Peace, upon Complaint on Oath made to him or them by any One or more of the said Committee or Company, or by any of their Officers or Agents, by any such Warrant or Warrants as aforesaid, to commit such Person or Persons to the Common Gaol or House of Correction of and for such County, Division, or Liberty, there to remain, without Bail or Mainprize, until he or they shall have made a true and perfect Account, and paid such Monies as shall appear to be remaining in his or their Hands to the said Company, or according to their

their Appointment, or shall have compounded for the same, and shall have paid such Composition Money (which Composition the said Company or the said Committee are hereby impowered to make) or the said Company may and are hereby impowered to bring or cause to be brought any Action or Actions in any of His Majesty's Courts of Record at *Westminster* against such Officer or Officers, or Person or Persons so refusing, neglecting, or making Default as aforesaid, and against all and every such Person or Persons as shall become his or their Security or Securities for the Recovery of the Monies that shall be in the Hands of or be due from such Officer or Officers, or other Person or Persons respectively, and upon such Bond or Bonds as shall be entered into by them respectively.

Or Company
may bring
Actions.

And be it further Enacted, That the said Company shall and may, at their said First or any subsequent General Assembly or Meeting, and from Time to Time when and so often as Need be or Occasion shall require, appoint a Clerk, who shall always attend the General Meetings and Assemblies of the said Company, also such Meetings of the said Committee and Commissioners as shall be held by them respectively for the Purposes of this Act, and who shall, in proper Books to be provided for that Purpose, enter and keep true and perfect Accounts of the Names and Places of Abode of the several Proprietors of the said Haven Navigation, and of the several Persons who shall from Time to Time become Owners and Proprietors, or entitled to any Share or Shares, or to any Part of such Shares of and in the said Navigation, Undertaking, and Premises, and therein make from Time to Time such Entry or Memorial as herein directed of all Mortgages, Transfers, or Assignments, and shall also in the said Books or some of them, state and settle all Accounts, Receipts, Payments, and Disbursements relating to the said Undertaking and Navigation, and also fairly and faithfully enter all Bye Laws, Rules, Orders, Acts, Proceedings, and Transactions of the said Company, Committee, and Commissioners respectively, by virtue of and under the Authority of this Act; and each and every of the said Proprietors or other Persons interested, shall and may, at all convenient Times, have Recourse to and peruse and inspect such Books *gratis*, and may demand and have Copies or Abstracts thereof, or Extracts therefrom, paying Six Pence for every One hundred Words so to be copied; and if such Clerk shall refuse to permit such Inspection, or make any such Copies, Abstracts, or Extracts, at the Rate aforesaid, within a reasonable Time, he shall for every such Offence forfeit and pay the Sum of Five Pounds; and the said Orders, Acts, Proceedings, and Transactions of the said Committee, and also of the said Commissioners, shall, when entered, be respectively signed by the major Part, or so many and such Number of them the said Committee

Company to
appoint a
Clerk.

To enter Pro-
ceedings, &c.

Penalty on
refusing to
specify, &c.

and Commissioners as are hereby impowered and required to make the same, and shall also be attested by the said Clerk as a Witness thereto, and being so entered, signed, and authenticated, shall and may be produced and read in Evidence, without further Proof, in all Courts and upon all Occasions whatsoever; and such Clerk or Clerks shall be entrusted with Money from Time to Time, by an Order in Writing signed by the said Committee upon the Treasurer or Treasurers, to enable him to pay petty Expences, and such small Sums as shall be found necessary, who shall account for the same to the said Committee, and whose Accounts thereof shall be regularly examined and signed by the said Committee when and so often as they shall see fit.

Company im-
powered to ap-
point further
Officers,

with Salaries,
&c.

and to dis-
place them.

Books and
other Docu-
ments to be
given up by
the Clerk, &c.
under a Pe-
nalty.

And be it further Enacted, That the said Company, at their First Meeting or at any subsequent Meeting, may over and besides the said Treasurer or Treasurers, Collector, Haven Master, and Clerk, chuse and appoint such other Officer or Officers as they shall think necessary to employ in the Execution of this Act, and each and every of them the said Officers, as well as all such others as shall be so appointed as aforesaid, shall be paid out of the Monies to be raised by virtue of this Act, such Yearly or other Stipends, Salaries, or Allowances, as the said Company, at a General Meeting assembled, shall think reasonable; and the said Company shall and may from Time to Time remove or displace any such Treasurer, Collector, Haven Master, Clerk, or other Person or Persons whomsoever by them appointed in pursuance of this Act, and in the Room and Stead of the Person or Persons so displaced, and also in the Room and Place of any such Person dying, neglecting, or becoming incapable to act, to nominate and appoint from Time to Time such other Person or Persons as they shall think proper; and all and every such Clerk, or other the Officers aforesaid, who shall be so removed, or their Executors and Administrators, or other legal Representatives of such Clerk or other Officer dying, and all and every other Person and Persons who shall or may have in his, her, or their Custody, Keeping, or Possession, any such Book or Books as aforesaid, or any Papers, Writings, Accounts, Proceedings, or other Documents in anywise relating to or concerning the said Navigation or Haven, shall, within the Space of One Calendar Month next after Notice in Writing, signed by Three or more of the said Committee for the Time being, or a true Copy thereof, given to or left at the usual Place of Abode of such Person or Persons, deliver and give up all such Books, Papers, Writings, Accounts, Proceedings, or other Documents, unto such Person or Persons as the said Committee by such Notice shall order and appoint, whose Receipt for the same shall be a good and sufficient Discharge to such Person or Persons so delivering such Books, Papers, Writings, Accounts, Proceedings, or other Documents;

cuments; and if any such Person or Persons, having in his, her, or their Custody, Keeping, or Possession, any such Books, Papers, Writings, Accounts, Proceedings, or other Documents, shall refuse or neglect to deliver the same within the Time limited by such Notice, and Demand made, he, she, or they shall for such Offence forfeit and pay the Sum of Twenty Pounds, which shall and may be recovered by Distress and Sale, or by Action at Law, and be applied and disposed of in such Manner as is herein directed with respect to the Recovery of other Monies due or to become forfeited to the said Company.

And be it further Enacted, That all and every Sum and Sums of Money, which shall at any Time or Times be subscribed, advanced, and paid by any Person or Persons for or in respect of any Share or Shares in the said Haven Navigation, and also all the Monies which shall or may arise from the several Rates or Duties by this Act granted, or upon any other Account whatsoever, and also all Locks, Piers, Jetties, Sluices, Engines, Warehouses, and other Buildings and Works, and all Boats, Lighters, and other Vessels, and all other Matters and Things to be made, erected, built, or provided by the said Company, and all Securities for Money and Effects of or belonging to the said Navigation, shall be, and the same are hereby vested in the said Company, and the same and every Part thereof are hereby declared to be their Property and Estate.

Money, Duties, and Effects vested in Company.

And be it further Enacted, That if in any One Year subsequent to the passing of this Act, the several Rates or Duties to be taken by virtue thereof, after paying and satisfying all necessary Expences attending the Execution of this Act, and the maintaining, supporting, and preserving the Navigation of the said Haven, and all the Works, Buildings, and Erections thereto respectively belonging, and paying and satisfying all such Rents, or other Annual Payments, or Sum or Sums of Money with which such Rates or Duties shall or may be charged or subject to, shall produce or raise any larger Sum or Sums of Money than shall be sufficient to make a Distribution amongst the said Proprietors of the said Haven Navigation of Ten Pounds *per Centum*, upon the Principal Sum or Sums of Money which shall have been *bona fide* raised and expended for the Purposes of improving and preserving the Navigation or the said Haven, and shall be then due and owing thereon, or on the Security thereof, then and from thenceforth the several Proprietors, their Executors, Administrators, or Assigns, shall be paid with and out of the Excess or Surplus above such Sum or Sums, Interest for their said Principal Monies, at and after the Rate of Ten Pounds *per Centum per Annum*, from the Time such Sums shall have been respectively advanced,

The Surplus of Taxes after paying Ten per Cent. to be applied in Discharge of Arrear of Interest, and then to be placed out at Interest.

advanced, to the Time of the Completion of the said Undertaking, or of any of the Rates or Duties hereby authorized to be had and taken, being collected and received in respect thereof, and for which no Dividend or Interest shall have been paid or received, rateably and in proportion to the several Sum or Sums by such Person and Persons so subscribed, and *bona fide* paid and advanced as aforesaid, without any Preference or Partiality for or on any Account or Pretence whatsoever; and when and so soon as all the Arrears of such Interest shall have been fully paid and satisfied by and out of such Excess or Surplus, such Excess or Surplus shall from Time to Time, as the same shall afterwards accumulate and arise, be placed out by the said Committee on Government or other sufficient Securities, until such Excess or Surplus shall amount to the Sum of Two thousand Pounds, and which shall be applied in making good any Deficiencies that may have happened subsequent to any such Investment; and in Cases of any Demolition of any of the Works of the said Navigation, or other inevitable Accident, the same shall and may be employed in the Repair of, and making good the same; the Interest of all and every such Surplus Monies shall from Time to Time be applied for the same Purposes, as the several Rates or Duties to be taken by virtue of this Act are hereby directed to be applied and disposed of.

Company to
employ Sur-
plus Money
in making fur-
ther Works.

And be it further Enacted, That upon the said Sum of Two thousand Pounds Surplus Money being invested at Interest as aforesaid, and all such Deficiencies, Arrears, and Payments as aforesaid having been satisfied, paid, and discharged, it shall be lawful for the said Company, and they are hereby authorized and required from Time to Time, and at all Times whenever Need or Occasion shall require, but nevertheless at some General Assembly or Meeting, of which Twenty-one Days previous Notice, specifying the Intent or Occasion thereof, shall at least have been given in such and the like Manner as hereinbefore is directed, to apply and dispose of all, or so much and such Part of the said Surplus Money as the same shall from Time to Time accumulate or arise, in making such Dock or Docks, Basin or Basins, Jetties, Piers, or other Works, Accommodations, and Conveniences, as the increased Trade and Commerce of the said Port of *Grimsey* may from Time to Time call for and require, but without Prejudice nevertheless to the said Sum of Two thousand Pounds, and so as no such Surplus Money be so applied or disposed of at any Time or Times when less than the said Sum of Two thousand Pounds shall remain invested at Interest, to answer the Deficiencies and Contingencies aforesaid.

Company ena-
bled for mak-
ing further
Works to raise
Money on the
Credit of the
Surplus.

And, as such further and additional Works and Conveniences as aforesaid, may the more readily be obtained, and with much greater Facility be done and executed, if on the Credit or Security of such Surplus or

Excess

Excess of Revenue, Power were given to borrow and take up at Interest such Sum or Sums of Money as may be adequate to such several and further Purposes as aforesaid, or any of them; ~~Now~~ therefore, in order to enable the said Haven Company to make and carry into Execution such further and additional Works and Conveniencies, when the same shall so as aforesaid become needful and requisite; **Be it Enacted**, That it shall and may be lawful to and for the said Company, at any Time or Times when the several Rates or Duties shall in any One Year, after paying all and every the Charges and Disbursements attending the Execution of this Act, and making such Division amongst the individual Members of the said Company of Ten Pounds *per Centum* as aforesaid, exceed the Sum of One hundred Pounds (exclusive of the said Sum of Two thousand Pounds hereinbefore directed to be placed out at Interest as aforesaid) to borrow and take up at Interest on the Credit of the said Surplus of the several Rates or Duties, and Investments aforesaid, at some General or Special Assembly as aforesaid, and of which such Notice as aforesaid shall have been given, such Sum or Sums of Money as may be needful and adequate to the making, doing, and executing such Additional, and further and other Works, Accommodations, and Conveniencies as aforesaid; and the said Haven Company are hereby fully authorized and empowered to assign over the said Surplus of Revenue as aforesaid, or any Part thereof (the Costs and Charges of assigning the same to be paid out of such Surplus) as a Security for any such Sum or Sums of Money to be so borrowed with Interest, not exceeding legal Interest, to such Bodies Politic or Corporate, or other Person or Persons, or his, her, or their Trustee or Trustees, who shall advance the same, in such Form as is specified and set forth in the Schedule to this Act annexed, or in or by Words to that or the like Purport or Effect; and all and every Bodies Politic or Corporate, or other Person or Persons, and his, her, or their Successors, Administrators, or Assigns, to whom any such Assignment or Mortgage shall be made, shall be equally entitled to their Proportion of the said Surplus of Revenue, according to the respective Sums in such Securities mentioned to be advanced, to secure the Re-payment thereof with the Interest as aforesaid, without any Preference by Reason of Priority of Assignment or on any other Account whatsoever, and the Money so borrowed shall be applied in the making and executing such additional or further and other Works and Conveniencies for which the same shall have been borrowed, and in carrying the same into effectual and complete Execution, and every such Assignment or Mortgage, shall and may be assigned or transferred, and such Assignee may assign and transfer again *toties quoties*, in such or the like Manner and Form, and with such and the same Powers and Advantages, as to such Surplus of Revenues as aforesaid; and Entries or Memorials of every such Mort-

Mortgages and
Assignments
may be trans-
ferred,

to be entered
in like Man-
ner as Mort-
gages on the
Rates, &c.

gage, Assignment, or Transfer, shall be made by the Clerk to the said Company, as is hereinbefore directed and prescribed respectively, with respect to the Assignment or Transfer of the said Rates and Duties, for raising a further Sum of Money for completing the Works of the said Undertaking, in case the Monies first raised should prove not adequate or sufficient for such Purposes respectively, as fully, completely, and effectually, as if the same were again repeated and enacted.

Company im-
powered to
take Fitty Land
wherein to
make a Dock
when the same
shall become
necessary, &c.

And whereas it may happen that by Reason of the increased Trade of the said Town and Port of *Grimsbj*, the said Haven may be insufficient for the Accommodation of all the Ships and Vessels resorting thither, and that a Dock or Basen in consequence thereof may become necessarily wanted; in order therefore to make Provision for the making of such Dock or Basen out of the said Surplus Monies, or the Monies to be borrowed on the Credit thereof as aforesaid; **Be it Enacted**, That it shall and may be lawful to and for the said Company, and they are hereby authorized and impowered, when and so soon as such Dock or Basen shall be necessarily wanted as aforesaid, and there shall be a sufficient Fund raised by and out of such Excess or Surplus as before-mentioned, or Money adequate thereto shall be raised on the Security thereof, to make in and upon the most convenient Place or Places of the Ground lying within that Part of the said *East Marsh* Common in *Great Grimsby* aforesaid called *Fitty Ground*, and which shall lie contiguous to and on the East Side of the said Haven, after the Course and Direction thereof shall have been so altered and varied as aforesaid on the North or North East Side of the Bank there, or Point of high Water Mark, One or more Dock or Docks, Basen or Basens, to open into and communicate with the said Haven above the Lock, with other necessary Conveniencies, so as no greater Quantity or more than Ten Acres of such Fitty Land be had and used for any such Purpose, without the Licence or Consent of the Mayor and Burgeses of *Great Grimsby* aforesaid, and so as the said Company do pay unto the said Mayor and Burgeses for such Ten Acres, or less Quantity as shall or may be so taken by them, so much and such Sum or Sums of Money in Gross, or by an Annual Rent *per* Acre, as the said Fitty Land, and other Land for forming such Junction or Communication as aforesaid, shall by the said Commissioners or by a Jury, in such and the like Manner as aforesaid, be valued at *per* Acre, and which Valuation is hereby required to be made at such and the same Time, or within the Space of Two Years next after the passing of this Act, as other the Land or Ground, hereby authorized to be had and taken for other the Purposes aforesaid, shall be made by the said Commissioners or by a Jury, in case the Parties, or either of them, shall be dissatisfied with the Judgment or Determination of such Commissioners; and upon Payment or Tender of such Compensation to the Mayor or Chamberlains

Chamberlains of the said Borough for the Time being, such Land or Ground at the Time or Times when the same shall be so wanted, may be had and used by the said Company for such Intents and Purposes as aforesaid.

And be it further Enacted, That all and every such Dock or Bason, Docks or Basons, as shall or may at any Time or Times hereafter be made by virtue of the Power and Authority hereby given, shall at all Times after the same shall be so made, be open to and for the Reception and Use of all Ships or other Vessels whatsoever, upon Payment of such and the same Rates or Duties, and no greater, than shall be due or demandable under or by Authority of this Act for or in respect of any Ship or other Vessel coming into the said Haven, and also subject to such and the same Regulations and Penalties as are hereby prescribed and established with respect to the said Haven, and also to such other Rules, Orders, and Regulations as the said Company, or any Committee by them to be appointed as herein mentioned, shall from Time to Time think expedient and proper to be made, and which they are hereby respectively authorized and empowered to make and establish in regard to the mooring and Management of any Ship or Vessel using any such Dock or Bason, and with reasonable Penalties, not exceeding Forty Shillings for the Non-observance or Breach thereof.

Any Dock to be afterwards made to be free upon Payment of Rates, but subject to necessary Regulations.

Provided nevertheless, and be it further Enacted, That when and at any Time or Times after the passing of this Act, the several Rates or Duties to be collected by virtue of and under this Act, and the Interest of such Surplus Money as shall or may be so placed on Government or other Securities as aforesaid, shall in any One Year, after paying, satisfying, and discharging all necessary Charges and Expences attending the Execution of this Act and the several Purposes thereof, and all Annual Payments by way of Rent, Interest, or otherwise, and the making such Dividends or Divisions of or out of the Produce of the said several Rates and Duties, and such Investments as aforesaid, and to the Amount and Extent before-mentioned, exceed or amount to the net and clear Sum of One hundred Pounds, and no additional or further and other Works or Improvements shall be needful or wanting, or that it would be of greater public Utility, and more conducive to the further Increase of the Trade of the Town and Port aforesaid, to lessen and reduce the said Rates and Duties than to make any further or other additional Works or Conveniences, it shall and may be lawful to and for the said Company in any such Case, and they are hereby authorized and required, and in case of their Neglect or Default for the Space of Three Calendar Months next after Request shall have been made to them for such Purpose in Writing, under the Hands of the said Commissioners, or any Twenty-one or more of them, that

Surplus amounting to £. 100 per Annum, the Duties may be reduced by the Company, or in their Default by the Commissioners.

then and in such Case it shall and may be lawful to and for the said Commissioners, or any Twenty-one or more of them, and they are hereby also authorized and required, at some General Assembly or Meeting, of which Twenty-one Days previous Notice, specifying the Intent or Occasion thereof, shall at least have been given by the said Company or Commissioners, as the Case may happen to be, to lower, diminish, and reduce the Rates and Duties aforesaid, or such of them, and in such Proportion and Degree as they shall in their Discretion think most proper, so as a Preference be given to the several Goods, Wares, and Merchandize hereby charged, but so nevertheless that any such Reduction be not to the Injury or Prejudice of the said Company, or any other Person or Persons whomsoever, to whom any Sum or Sums of Money shall be then due and owing on the Credit of the said Rates and Duties, or to whom the same may have been demised or letten, and no greater or higher Rates or Duties shall be had and received than shall be so settled and allowed by the said Commissioners; and in case any Deficiency shall be occasioned for or by Reason of such Reduction of the said Rates or Duties, so that the same will not be sufficient, after paying the ordinary Disbursements, to make such Division as aforesaid of Ten Pounds *per Centum* amongst the said Company of Proprietors, then it shall be lawful for the said Company, at any Meeting to be held for that Purpose, of which such Notice as last-mentioned shall be given, to raise the said Rates and Duties to such a Rate or Proportion as will be sufficient to make up such Deficiency, so that the same or any of them do not exceed the highest Rate of the Sum or Sums of Money, Rates or Duties allowed to be taken under or by virtue of this Act.

Commissioners
or Auditors
appointed by
them im-
powered to in-
spect the Com-
pany's Ac-
counts.

And, for the better enabling the said Commissioners from Time to Time to ascertain and be fully informed of the Amount or Extent of the Surplus of the Rates or Duties, and also in Default of the said Company to make such Reduction of the Rates and Duties aforesaid, as the Case may be, without Prejudice to the said Company, or other Person or Persons concerned in the Navigation of the said Haven, or in anywise interested therein, it shall be lawful for the said Commissioners, or any Five or more of them, from Time to Time and at all Times, at any Meeting to be held for that Purpose, of which Four Days previous Notice shall have been given in the Manner hereinbefore mentioned, to call for and inspect all and every the Book and Books of the said Company, in which the Accounts of the said Haven Navigation and Undertaking are entered and stated, or otherwise shall at any such Meeting nominate and appoint One or more proper and competent Person or Persons to inspect, examine, and audit the said Books and Accounts, who shall and may take Copies of such Accounts, or make Extracts thereof, as to them the said Commissioners or the said Auditors shall seem necessary and proper; and

if

if any Clerk of the said Company, or other Person or Persons in whose Hands or Custody the said Books and Accounts respectively shall then be, shall not permit or suffer the same respectively to be so examined and inspected as aforesaid, or Copies or Extracts to be made of or from any such Accounts, or otherwise shall delay, hinder, or obstruct the doing thereof, every Clerk or other Person so offending, shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered and levied in such and the like Manner as is hereinbefore prescribed with respect to the Recovery of other the Penalties and Forfeitures hereby imposed.

Clerke or those
having the
Custody of
Accounts to
forfeit £. 50
for Refusal.

And whereas there is lying within the Common Pasture in *Great Grimby* aforesaid, called *The East Marsh*, and between the Turnpike Road there and the Bank on the East Side of the said Haven, and which is separated and detached from the Rest of the said Common Pasture by the said Turnpike Road, a narrow Screed or Parcel of Land, in Length from the North East End of a Close belonging to *George Robert Heneage*, Esquire, called *The Haven Side Close*, to the End of the said Turnpike Road, Forty-six Chains, and containing Sixteen Acres or thereabouts, and which from its Situation by the Side of the said Haven will be very convenient for the Purposes of Trade, and for the Erection of Warehouses and other Buildings, were the Right of Common in or upon the same to cease and be absolutely extinguished; ~~We~~ it therefore Enacted, That it shall and may be lawful to and for the Mayor and Burgeses of *Great Grimby* aforesaid, from Time to Time, and at all or any Time or Times from and after such Alteration or Variation of the said Haven, and the Ground for the Banks and Towing Paths on the East Side thereof, shall respectively be set and staked out, by public Bidding or Biddings, to let and demise all and every the said Screed or Piece or Parcel of Commonable Ground, or so much thereof as shall remain unoccupied and be not necessarily wanted for any of the Works or Conveniences of or relating to the said Haven Navigation and Undertaking, freed and discharged of and from all Right of Common which can or may be claimed therein or thereupon by any Mayor, Alderman, Common Councilman, and Free Burgeses of the said Borough of *Great Grimby* for the Time being, or any of them, or any other the Members or Officers thereof, or of any other Person or Persons whomsoever: Provided nevertheless, that at or near each Extremity, and at or about the Middle or Center thereof, there be made or set out, convenient and sufficient Roads, Ways, or Avenues as and by Way of Common Staiths, for the Use of the Public to and from the said Turnpike Road to the said Haven, such as shall be made at or near the said Extremities not to exceed Ten Yards in Width, and the middle or central One not to exceed Eight Yards in Width; that not more than Twenty Yards in Length of such Frontage next the

Mayor and
Burgesses im-
powered to
lease a certain
Part of the East
Marsh Com-
mon.

said Haven be let to any One Person or Persons or Company, nor for any greater Term or Space of Time than Sixty Years, or for more than Twenty-one Years, in all such Cases where the Lessee or Lessees of any such Piece or Parcel of Ground shall be under no Covenant or other Obligation to erect any Warehouse or other Buildings thereon for the Purposes of Trade; and also that the Burgeses of the said Borough who are concerned in Trade, as Timber, Coal, Corn, or other Merchandize, and who shall be in the actual Want of and require any such Accommodation, have a Preference and be accommodated at a fair and reasonable Rent, before any Part of such Commonable Ground be demised or let by the said Mayor and Burgeses to any other or indifferent Person or Persons whomsoever.

Masters of Vessels not making them stationary before they come to the Lock, or conforming to the Haven Master's Directions in mooring, or obstructing his Removal of Vessels in certain Cases, to be subject to a Penalty of £.5.

And be it further Enacted, That if the Owner, Master, Servant, or other Person having the Care of any Ship or Vessel, shall not in coming into the said Haven, and in his Approach to the said Lock, make or cause such Ship or Vessel to be or become stationary at the Distance of Two hundred Yards at the least from the said Lock, or shall refuse or neglect to moor or remove any such Ship or Vessel, according to the Directions of the said Haven Master, after Notice to him or them given, or left in Writing on Board the said Ship or Vessel, or shall obstruct or hinder the said Haven Master or any of his Assistants, at any Time or upon any Occasion when there shall be a good and reasonable Cause for the same being done, in the Removal of such Ships or Vessels into any other Part or Parts of the said Haven above the Lock, or out of that Part to some other Part of the same Haven beneath or below the Lock, or into or out of any Dock or Basen which shall or may hereafter be made under the Powers and Provisions in this Act contained, or in removing any Ship or Vessel from the public Quays or Wharfs, to prevent any Delay or Obstruction to or in the loading or unloading of any other Ship or Vessel at any such Quays or Wharfs, then and in every such Case every such Owner, Master, or other Person having the Care of any such Ship or Vessel, shall for every such Offence forfeit and pay the Sum of Five Pounds.

Haven Master for Misbehaviour to be subject to a Penalty or be removed.

And be it further Enacted, That in case the Haven Master, or his Assistant or Assistants for the Time being, shall not, in mooring or removing of Ships or Vessels within or out of the said Haven, or any Dock or Basen which shall or may in future be so made as aforesaid, act with that due Impartiality which the Nature of their Office shall require, or shall wilfully abuse the Authority vested in him or them for such Purposes, or shall otherwise misbehave him or themselves in their Office, and Complaint shall be thereof made in Writing to the said Company,

Company, or the said Committee by them appointed, the said Company or Committee shall and may enquire into the Nature of the Complaint, and upon Proof of the Offence complained of, and that no proper Satisfaction has been made or tendered for or in Respect of the same, shall and may subject the Offender to a Penalty not exceeding Ten Pounds, or shall otherwise discharge the Offender from his Office of Haven Master or Assistant, as the Case may be, and shall within Fourteen Days next afterwards appoint another Person in his Room, and the Person so discharged shall be for ever afterwards incapable of being again appointed to the Office of Haven Master or Assistant; and all such Penalties as aforesaid which shall be so incurred, shall and may, upon Non-payment thereof, be recovered and levied in the same or like Manner as herein is prescribed for the Recovery of other the Penalties or Forfeitures imposed by this Act.

And be it further Enacted, That if any Boat, Lighter, or other Vessel, which shall or may happen to be sunk in or immediately off the Mouth or Entrance of or into the said Haven, or within any Dock or Basen that may in future be made as aforesaid, and the Owner or Owners, or other Person or Persons having the Care of any such Boat, Lighter, or other Vessel, shall not, without Loss of Time, weigh or draw up the same, it shall be lawful for the said Haven Master, or his Assistant or Assistants, to cause such Boat, Lighter, or other Vessel to be weighed or drawn up; and in case the same shall not be redeemed, and all Expences paid within the Space of Seven Days, to sell and dispose thereof for the Satisfaction of all the Expences necessarily incurred and occasioned in or about the weighing or drawing up, and selling or disposing of the same.

Vessels sunk to be weighed by the Haven Master at Owners Expence.

And be it further Enacted, That no Ship or Vessel that shall be laid up as unfit for further Service, shall be permitted to be or remain in the said Haven, or in any such Dock or Basen so to be made in future as aforesaid, to incumber the same for above the Space of Six Calendar Months in the Whole, and that during all such Time the Owner or Owners, Master or Commander, Factor or Agent of or for such Ship or Vessel shall keep the same constantly and sufficiently moored, to prevent Damage or any Obstruction being given to the free Passage of any other Ship or Vessel; and that in every such Case it shall be lawful for the said Haven Master, his Deputy and Assistants, and every of them, to cause such Ship or Vessel so incapable or unserviceable, which shall lie in the said Haven, or in any such Dock or Basen so to be made as aforesaid for above the Space of Six Calendar Months, or that shall be found loose and unmoored within the same, to be removed out of the said

Old Ships incumbering the Haven, &c. to be removed.

Expence thereof on Refusal to be distrained for.

said Haven, or any such Dock or Basen, and to lay and moor such Ship or Vessel on any Part of the Strand or Shore of the River *Humber*, within Highwater Mark, and as near to the said Haven as conveniently may be; and upon Refusal or Neglect of Payment to the said Haven Master, his Deputy, or Assistant, or any of them, by the Owner or Owners, Master, Commander, or Agents of or for such Ship or Vessel, of the reasonable Charges of removing and mooring such Ship or Vessel as aforesaid, for the Space of Five Days next after Demand shall have been made thereof, then and in every such Case it shall be lawful for the said Haven Master, his Deputy, or Assistants, or any of them, to levy such Charges and Expences, by Distress and Sale of such Ship or other Vessel, or any of her Tackle, Apparel, or Furniture, or any Part thereof, rendering the Overplus, if any such there be, after deducting the Charges of the taking, keeping, and Sale of such Distress, to the Owner or Owners, Master, Factor, or Agent of or for such Ship or other Vessel, upon the same being demanded.

Timber not to be left in the Haven longer than 48 Hours without Consent.

And be it further Enacted, That no Wood or Timber which shall be delivered within the said Haven, or in any such Dock or Basen which may hereafter be made as aforesaid, shall be permitted to lie or remain therein for a longer Time than Forty-eight Hours after the Delivery thereof, without the Leave or Consent of the Haven Master for the Time being, or his Deputy, and so as the same can or may be given without annoying or prejudicing any Ship or Vessel within the said Haven, or any such Dock or Basen as aforesaid, or injuring or obstructing the free Navigation thereof; and in case the same shall not be removed before the Expiration of the said Forty-eight Hours, or within such further Time as shall be so allowed as aforesaid, the Owner or Owners thereof shall for every such Offence forfeit and pay the Sum of Five Pounds.

Gunpowder and other Combustible Matter to be removed after a limited Time.

And be it further Enacted, That no Gunpowder, Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Brandy, or other spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or other combustible or inflammable Matters or Things whatsoever, shall be suffered to be or remain upon the aforesaid Quays or Wharfs, or upon the Deck of any Ship or Vessel in the said Haven, or in any such Dock or Basen so in future to be made, for above the Space of Twenty-four Hours after passing the Custom House Officers, nor any Gunpowder exceeding the Quantity of Six Pounds on Board of any such Ship or Vessel beyond the said Space of Time after the Arrival thereof; and if such Goods and Things cannot be conveniently removed or taken from such Quays or Wharfs, or Ships Decks, by Day Light, then and in every such Case the Owners of such Goods and Things respectively, shall be obliged, and are

are hereby required, to set and maintain at their own Expence, a sufficient Number of careful and sober Persons to guard and watch over the same, for such and so many Hours, according to the Season of the Year, as the said Haven Master, or his Assistant or Assistants shall direct and appoint; and no such Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter or Thing, shall at any Time hereafter be boiled or heated on board any such Ship or Vessel, or in any Boat, unless the same be along Side of some Ship or Vessel, nor within Twenty Feet of the Quays, Stairhs, or Warehouses on the Town Side of the said Haven (Carpenters Yards only excepted) and every Owner or Owners of such Goods or other Things, or the Master or Mate of any Ship or other Vessel making Default herein, shall forfeit and pay for every such Offence the Sum of Five Pounds.

Provided nevertheless, and it is hereby Enacted and Declared, That in case any Ship or Vessel in which any Gunpowder above the Quantity of Six Pounds shall happen to be, shall arrive in the said Haven, or any such Dock or Basin as aforesaid on a *Sunday*, or any Custom House Holiday, it shall be lawful for the Master or Commander of any such Ship or Vessel to land the same without a Sufferance or Leave from the Officers of His Majesty's Customs of *Grimby* for so doing, provided the same be done in the Presence of a Tide Surveyor or Coast Waiter.

Gunpowder may be landed on Sunday or without a Sufferance.

And be it further Enacted, That no Person whomsoever shall have or keep, or cause to be had or kept, any Fire, Lamp, or Candle lighted on Board any Ship or Vessel within the said Haven, or any such Dock or Basin as aforesaid, at any Time or Times whatsoever between the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* in every Year, after the Hour of Seven in the Evening, or before the Hour of Seven in the Morning, nor at any Time or Times whatsoever between the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year, after the Hour of Eight in the Evening, or before the Hour of Five in the Morning, upon Pain of forfeiting for every such Offence the Sum of Three Pounds: Provided nevertheless, that nothing herein contained shall extend to restrain or prohibit the Use of lighted Candles, the same being in Lanthorns, or otherwise guarded or properly secured, by any Tidelman and other Officers of His Majesty's Customs and Excise, who may be stationed on Board any Ship or Vessel to guard the same for the Security of the public Revenues, and in order to prevent the clandestine Running of customable and prohibited Goods from on board Ships or Vessels in the Night, or to subject or make liable to the said Penalty any such Officer or Officers for or on Account thereof.

Fires on Board not to be permitted after certain Hours;

except by Custom and Excise Officers.

Penalty on
Persons get-
ting Ballast
near the Mouth
of the Haven
or throwing
any into it, &c.

or cutting
Ropes.

Not to abridge
the Power
vested in the
Haven Master.

And be it further Enacted, That if any Person or Persons shall dig, raise, or take, or cause to be taken any Ballast into any Ship, Boat, or other Vessel, within Two hundred Yards of the Mouth or Entrance into the said Haven, or shall put, throw, or cast any Ballast, Gravel, Sand, Stones, Soil, or Rubbish into or off the Mouth or Entrance into such Haven, or into any Drains, Cuts, Trenches, or Watercourses to be made or maintained by virtue of this Act, or into any Dock or Basin that may hereafter be made as aforesaid, or shall wantonly, wilfully, or maliciously cut, break, or in any Manner destroy or loosen any Rope or other Thing by which any Ship or Vessel lying in the said Haven, or in any such Dock or Basin aforesaid, shall be moored or fastened, every such Person shall for every such Offence forfeit any Sum not exceeding the Sum of Five Pounds: Provided, that nothing herein contained shall hinder or restrain the Haven Master to be appointed in pursuance of this Act, or his Assistants, from exercising in a due and reasonable Manner the Powers and Authorities hereby vested in him and them, with respect to the mooring or Removal of any such Ships or Vessels.

Penalty on
Persons open-
ing Locks,
Sluices, &c.

And be it further Enacted, That if any Person or Persons whomsoever shall wantonly, wilfully, or unnecessarily open or cause to be opened any Lock or Slaker, Water Gates, Paddle, Valve, Sluice, or Clough, which shall or may be fixed, erected, or made within the said Haven, or any of the Cuts or Drains communicating therewith for the Improvement of the Navigation of the said Haven, or in or at the Entrance of any such Dock or Basin so to be made as aforesaid, or shall flush or draw off, or cause to be flushed or drawn off the Water from any Part of the same, or shall leave any of the said Locks, Water Gates, Slakers, Sluices, or Cloughs open and running after any Ship or Vessel shall have passed such Lock or Water Gate belonging to the same, or shall draw or cause to be drawn any Slaker, Paddle, or Valve in any such Lock, Sluice, or Clough, so as to mispend, waste, or divert, or change the Course and Current of the Water thereof, or any of them, otherwise than is by this Act authorized and required, or shall wilfully obstruct, hinder, or prevent any Officer or other Person in the Execution of this Act, every Person offending in any of the Cases aforesaid, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds nor less than Twenty Shillings; and if any Lock Keeper, or other Officer or Servant belonging to the said Company, shall give any unfair or improper Preference, or shew any Partiality to any Ship, Sloop, or other Vessel in passing through the Lock upon the said Haven, or in their Admission to any such Dock or Basin as aforesaid, such Officer or other Person so offending, shall forfeit and pay Twenty Shillings to the Informer.

And

And be it further Enacted, That the Master or Owner of every Raft, Ship, Sloop, or other Vessel navigating in or upon the said Haven, shall be, and is hereby made answerable for any Damage, Spoil, or Mischief that shall be done for or by Means of his or her Raft, Ship, Sloop, or other Vessel, by any of the Mariners or Watermen belonging to or employed in or about the same respectively, unto any of the Banks, Bridges, Locks, Water Gates, Docks, or Basons, Quays, Wharfs, Piers, Jetties, Engines, or other Works in, upon, or near the said Haven, or by loading or unloading any Ship, Sloop, or other Vessel, or for any Trespafs or Damage that shall or may be done to the Owners or Proprietors of any Buildings, Erections, Lands, Tenements, Hereditaments, or Premises adjoining to the same, or any of them, other than is authorized by this Act, and the said Master or Owner of such Raft, Ship, Sloop, or Vessel, shall and may be sued and prosecuted for the same in any Court of Record whatsoever, and if found guilty, or a Verdict pass against him or her, or Judgment be given against him or her upon Demurrer or by Default, the Plaintiff in any such Case shall recover and receive his or her Damages, with Double Costs of Suit.

Owners of Vessels answerable for Damage done by their Crews.

And be it further Enacted, That in case the Master or Owner of any Raft, Ship, Sloop, or Vessel navigating or passing in or on the said Haven, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage by Reason of any Default done or committed by his or her Servant or Servants, every such Servant shall be liable to repay such Penalty or Damages to such Master or Owner; and in case of Non-payment, upon Demand thereof, and Oath made by such Master or Owner of the Payment by him or her of such Penalty or Satisfaction, and that the same hath not been repaid to him or her by such Servant although demanded, such Oath to be made before the Mayor or other His Majesty's Justices of the Peace for the Time being for the said Borough of *Great Grimsby*, or the Parts of *Lindsey* (as the Case may be) the same Penalty and Satisfaction shall be levied of such Servant by Distress and Sale in the Manner hereinafter directed, and the Penalty or Satisfaction when recovered, shall be paid to such Master or Owner in Discharge of such Penalty or Satisfaction to by him or her paid for the Act or Default of such Servant as aforesaid; and in case no sufficient Distress can be had, such Mayor or other Justice of the Peace shall, and he is hereby required to commit such Servant to the Common Gaol of the said Borough or Parts of *Lindsey* (as the Case may be) there to remain, without Bail or Mainprize, for any Time not exceeding Three Months, nor less than One Month.

Masters may recover back from their Servants Money paid for their Misfeasance.

And

Persons de-
stroying the
Works or ob-
structing their
Erection or
Repair, how
to be punished.

And be it further Enacted, That if any Person or Persons shall maliciously, wilfully, or wantonly demolish, break down, destroy, or set on Fire any of the Works, Erections, Buildings, Dams, or Banks to be constructed, erected, or made, or provided by virtue of this Act, or any Ship or Vessel lying and being in the said Haven, or in any Dock or Basen which may be so made in future as aforesaid, or shall so maliciously, wilfully, or wantonly do, commit, or occasion any other Mischief, Damage, Injury, or Hurt, or obstruct, hinder, or prevent the carrying on, completing, supporting, or maintaining any of the Works by this Act authorized to be made or done for the Improvement and Preservation of the Navigation of the said Haven or otherwise, every such Person and Persons so offending in any of the Cases aforesaid, shall be adjudged guilty of Felony, and subject to all the Pains, Penalties, and Disabilities thereof; and the Court by or before whom such Person or Persons shall be tried and convicted shall, and hereby have full Power and Authority to cause such Person and Persons to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm; or in Mitigation of such Punishment may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny; or otherwise every Person so offending, and being thereof lawfully convicted on the Oath of One credible Witness, before the said Mayor, or One or more other His Majesty's Justices of the Peace for the Borough or Parts of *Lindsey* aforesaid (as the Case may be) shall forfeit any Sum not less than double the Value of the Damage proved upon Oath to be done, at the Discretion of such Mayor, or other Justice or Justices; such Penalty, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus (if any) to such Offender; or such Offender shall and may be committed to the Common Gaol of the said Borough or Parts aforesaid (as the Case may be) for any Time not exceeding Six Calendar Months, at the Discretion of such Mayor, Justice, or Justices, before whom such Offender shall be convicted.

Haven and
Drains not to
be under the
Controul of
any Commis-
sion of Sewers.

And be it further Enacted, That the said Haven, or any of the Drains, Cuts, or Ditches, Docks, or Basens to be made and supported by and at the Charge and Expence of the said Company, under or by virtue of the Powers granted by this Act, shall not be subject to the Controul, Direction, Survey, or Order of any Commission of Sewers, or to any Law or Statute relating to Sewers, any Law, Statute, or Charter relating thereto to the contrary notwithstanding.

Future Appli-
cations may be
made to Par-
liament by the
Majority of

And whereas the major or greater Part of the said Haven Company may hereafter think it expedient to make Application to Parliament, for Power to make certain navigable Communications with the said Haven,

Haven, or other Purposes than such as are authorized by this Act, but by reason of Infancy or otherwise may not be able to obtain the Consent and Concurrence of all the said Company of Proprietors: **Be it therefore Enacted**, That in case the Persons entitled to the greater Number of the Shares in the said Haven Navigation, shall, at any General Assembly of the said Company, think proper to make any such Application to Parliament as aforesaid, it shall be lawful for them to order and cause the Common Seal of the said Company to be affixed to any Petition for that Purpose, and such Application to be proceeded in and prosecuted, and any Money arising by virtue of this Act, to be applied in defraying the Expences incurred by or in consequence of any such Application; and it shall be lawful for the Guardians, Trustees, or Committees of the Owners or Proprietors of any such Shares, being Minors, Lunatics, or under any Disability or Incapacity of acting for themselves, and the Executors or Administrators of any deceased Owners or Proprietors of such Shares, to apply any of the Money which shall come to their Hands as Guardians, Trustees, Committees, Executors, or Administrators as aforesaid, towards defraying the proportionable Shares of the Expences incurred by and in consequence of any such Application, which shall be payable by the Persons on whose Behalf they respectively act, or to raise Money for that Purpose by Mortgage of any such Shares, which Mortgages they are hereby authorized to make by Writing under their Hands and Seals, and the same shall be valid and effectual.

the Proprietors
for making
navigable
Communications with the
Haven.

And be it further Enacted, That all Penalties, Fines, and Forfeitures hereby inflicted or imposed, or which shall be inflicted or imposed by any Rule, Order, or Bye Law to be made in pursuance of this Act (of which Rule, Order, or Bye Law, when produced, all Justices are hereby required to take Notice) the Manner of levying and recovering whereof is not otherwise particularly directed, shall (upon Proof of the Offences respectively given before any Mayor or Justice of the Borough, Parts, Division, or County wherein the Offence shall be committed, or where the Offender shall be or reside, either by the Confession of the Party or Parties offending, or by the Oath of One or more credible Witnesses or Witnesses, which Oath such Mayor or Justice of the Peace is hereby empowered and required to administer) be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending or liable to pay the same, by Warrant or Warrants under the Hand and Seal of such Mayor or Justice, and the Overplus, after such Penalties, Fines, and Forfeitures, and the Charges of such Distress and Sale are recovered and deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels, and the Monies arising from such Penalties, Fines, and Forfeitures when levied, shall (if not herein otherwise di-

Penalties and
Forfeitures
how to be re-
covered and
applied.

rected to be applied) be paid into the Hands of the Treasurer or Treasurers of the Monies to be raised by virtue hereof, or the Clerk of the said Company, to be applied and disposed of for the Purposes of this Act, and to and for no other Use or Purpose whatsoever; and in case sufficient Distress shall not be found, and such Penalties, Fines, and Forfeitures shall not forthwith be paid, it shall be lawful for such Mayor or Justice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed, to the Common Gaol or House of Correction of the Borough, Parts, Division, or County where such Offender or Offenders shall be committed there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Penalties, Fines, and Forfeitures, and all reasonable Charges shall be sooner paid and satisfied; and all and every the Mayor, Justice, and Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, or any Rule, Order, or Bye Law made in pursuance thereof, shall and may, for the more easy and speedy Conviction of any such Offenders, cause the Conviction to be drawn up in the Form of Words set forth in the Schedule to this Act annexed, or in any other Form of Words to the same Effect, as the Case shall require.

Conviction.

Distress not to be sold until the Fourth Day.

Provided always, and be it further Enacted, That no Part of the Goods and Chattels to be at any Time distrained by virtue of this Act, shall be sold until the Fourth Day next after the same shall have been so distrained, and that it shall be lawful for the Person or Persons convicted, at any Time before any such Sale shall be made, to redeem such Goods and Chattels by Payment of the Money for which the same shall have been so distrained, together with the Costs and Charges of making and keeping such Distress.

Penalties, &c. may be mitigated.

Provided also, and be it further Enacted, That it shall be lawful for the Mayor, Justice, or Justices of the Peace, or any of them, by whom any Judgment, Sentence, or Determination shall be given, made, or pronounced from Time to Time, where they see Cause, to mitigate, compound, or lessen any of the Penalties, Fines, or Forfeitures as aforesaid, as he or they in his or their Discretion shall think fit, so as such Mitigation or Composition do not extend to remit above One Moiety of the Penalty inflicted and directed to be levied by this Act, or any Rule, Order, or Bye Law made in pursuance thereof; and every such Mitigation or Composition shall be a sufficient Discharge to the Persons offending respectively, for so much of the said Penalties, Fines, and Forfeitures as shall be so mitigated, lessened, or remitted.

And

And be it further Enacted, That when any Distress shall be made for any Penalty, Fine, or Forfeiture to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, *ab initio*, on Account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity, may recover full Satisfaction for the special Damage, in an Action on the Case.

Distress not to be void for Irregularity.

Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity, Trespass, or other wrongful Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed or occasioned, or caused to have been committed or occasioned every or any such Irregularity, Trespass, or wrongful Proceeding before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall judge fit, whereupon such Proceedings or Order and Judgment shall be had, made, or given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Where Action shall be brought for Damage done by making any irregular Distress, Tender of Amends may be made, or Money paid into Court.

And be it further Enacted, That no Order which shall be made by any Mayor, Justice, or Justices, by virtue of or under Authority of this Act, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*.

Proceedings not to be quashed for Informality or removeable by *Certiorari*.

And be it further Enacted, That all and every Person and Persons who shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Haven Company, or the Committee to be appointed by them, or by the Order or Determination of any Mayor, Justice, or Justices of the Peace in pursuance of this Act (where such Order or Determination is not declared to be final) may, within Six Calendar Months after such Order or Determination shall have been made or given, complain to the Justices of the Peace at their next General Quarter Sessions of the Peace to be held in and for the Parts of *Lindsey*, in the said County of *Lincoln*, or the Town or Place wherein any separate Jurisdiction shall be held, in which the Cause of Appeal shall arise, first giving Ten Days No-

Persons aggrieved may appeal to the Quarter Sessions.

tice

tice at the least in Writing, of such Intention to complain, to the Party interested in such Complaint; and the said Justices shall, in a summary Way, either hear or determine the said Complaint at such Sessions, or if they think proper may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for such Parts or Place respectively, and if they see Cause may mitigate any Penalty, Fine, or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination, and may also order such Satisfaction to be made to the Party injured as they shall think reasonable.

Limitation of Actions.

And be it further Enacted, That if any Action, Suit, or Information shall be brought, commenced, or filed against any Person or Persons for any Thing done in pursuance of this Act, or in the Execution of any of the Powers or Authorities, or the Orders and Directions hereinbefore given and granted, every such Action, Suit, or Information shall be brought, commenced, or filed within Six Calendar Months next after the Fact or Offence committed; or in case there shall be a Continuation of Damages, then within Three Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards, and shall be laid or brought in the County where the Matter in Dispute or Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in such Action, Suit, or Information, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and alledge that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action, Suit, or Information shall have been brought, commenced, or filed after the Time so limited for bringing or filing the same, or shall have been brought in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Non-suit, or suffer a Discontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants shall have appeared, or if a Verdict shall pass or be given against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants in every such Case shall have Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

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Who shall recover Treble Costs if Verdict pass against Plaintiff.

The Limits of the Port of Grimsby to be ascertained.

And be it further Enacted, That in order to prevent any Doubt, Difference, or Dispute that may arise with respect to the Extent, Bounds, and Limits of the said Port of *Grimsby*, it shall and may be law-ful

ful to and for His Majesty, at any Time or Times within the Term or Space of Two Years next after the passing of this Act, by His Majesty's Commission out of His Court of Exchequer at *Westminster*, to ascertain, set out, limit, and appoint the Extent, Bounds, and Limits of the said Port of *Grimby*; or in Default thereof it shall and may be lawful to and for the Lords Commissioners of His Majesty's Treasury, and His Majesty's Commissioners of the Customs, within One Year next after the Expiration of the said Term of Two Years, by any Persons whom they may appoint for that Purpose, to ascertain, set out, limit, and appoint the Extent, Bounds, and Limits of the said Port.

And be it further Enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to take away, impeach, diminish, change, or affect any Right which the Guild or Brotherhood of Masters and Pilots Seamen of the Trinity House of *Kingston upon Hull* are now legally invested with, or can or may lawfully or equitably have or claim, of and from the Freighters, Masters, or Owners of all Ships or Vessels using or trading from or to the Port of the said Town of *Kingston upon Hull*, or to any of the Places within the Limits and Liberties thereof; (that is to say) in all Havens, Creeks, and other Places whereof the Custom of *Hull*, by virtue of his Office, heretofore had, or now hath any Authority to take any Customs; and of and from the Merchants and Consignees of Cargoes imported into and exported from the said Port, or the Limits thereof as aforesaid, for or in respect of the Goods, Wares, and Merchandizes so imported and exported, certain Dues Duties, and Payments, by the Names of Primage, Great Fines, and Small Fines respectively; and also of and from the Masters and Owners of all Ships and Vessels (Ships belonging to His Majesty and fishing Vessels excepted) using or passing any of the Buoys by the said Guild or Brotherhood fixed, placed, and continued upon or near the Sands in the said River *Humber*, for the Improvement and more safely navigating of the same River, a certain Rate or Duty called Buoyage, in proportion and according to the Tonnage or Burthen of such Ships or Vessels.

Saving the Rights of the Trinity House of Hull.

And be it Enacted, That nothing in this Act contained shall extend, or be construed to extend, to take away, impeach, diminish, change, or affect any Rights, Dues, Duties, and Payments, Powers, Privileges, Jurisdictions, or Authorities, which the Mayor and Burgeses of the Town of *Kingston upon Hull* aforesaid are now lawfully entitled to, or can or may so lawfully or equitably claim to have.

Reserving the Rights of the Corporation of Hull.

And be it further Enacted, That nothing in this Act contained shall extend, or be construed to extend, to take away, impeach, diminish, change,

Saving the Rights of the Dock Company at Kingston upon Hull

change, or affect any Rights, Dues, Duties, and Payments, Powers, Privileges, Jurisdictions, or Authorities, given and granted to the Dock Company at *Kingston upon Hull* aforesaid, by or by virtue of an Act of Parliament, passed in the Fourteenth Year of the Reign of His present Majesty, for making and establishing Public Keys or Wharfs at *Kingston upon Hull* aforesaid, also for making a Basin or Dock there, with Reservoirs, Sluices, Roads, and other Works, and for other the Purposes therein mentioned, or which the said Dock Company are now legally entitled to, or invested with.

General
Saving.

Provided also, and be it further Enacted, That nothing in this Act contained shall extend, or be construed to extend, to take away, impeach, diminish, change, or affect the Right, Title, Estate, and Interest of any other Person and Persons, Bodies Politic and Corporate, but all and every such Person and Persons, Bodies Politic and Corporate, shall have, use, and exercise all such Right, Title, Estate, and Interest, as they and every or any of them had and enjoyed of, in, to, or out of any of the Hereditaments and Premises herein mentioned, or any of them, or any Part thereof, before the passing of this Act, or could or might have enjoyed in case this Act had not been made, otherwise than as the same are by this Act particularly and expressly taken away, any Thing herein contained to the contrary notwithstanding.

Public Act.

And be it further Enacted, That this Act shall be allowed in all Courts whatsoever as a Public Act, and all Judges, Justices, and other Persons are hereby required to take Notice of it as such, without the same being specially pleaded.

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THE SCHEDULE

Of the several FORMS mentioned and referred to in and by the preceding Act.

Form of
CONVEYANCE
to the Company.

I [*or, we*] *A. B.* of _____ in the County of _____
in Consideration of the Sum of _____ to me
[*or, us*] paid [*or, in Consideration of the Annual Rent of*
_____ to me [*or, us*] to be hereafter yielded and paid] by
the *Grimby* Haven Company, Do hereby grant and release to the said
Company, All [*describing the Premises to be conveyed*] and all my [*or,*
our] Right, Title, and Interest in and to the same, and every Part
thereof, To hold to the said Company for ever, by virtue and ac-
cording to the true Intent and Meaning of the Act of Parliament
passed for enlarging, altering, and improving of the said Haven.
In Witness whereof I [*or, we*] have hereunto set my Hand and Seal
[*or, our Hands and Seals*] this _____ Day of _____
in the Year of our Lord _____

Form of
CONVEYANCE
between Land Own-
ers.

I *A. B.* of _____ in the County of _____
in Consideration of the Sum of _____ to me in
Hand paid by *C. D.* at or before the Sealing and Delivery of these
Presents, the Receipt whereof I do hereby acknowledge [*or, in Ex-*
change for certain Lands situated _____ conveyed to me by
C. D. of _____ in the County of _____
by Writing under his Hand and Seal, bearing even Date herewith]
Do hereby convey and assign to the said *C. D.* All [*describe the Pre-*
misses] To hold to the said *C. D.* his Heirs and Assigns for ever.
In Witness whereof I have hereunto set my Hand and Seal the
_____ Day of _____ in the Year of our Lord _____

I *AB.*

Form of PROXY.

I *A. B.* of _____ One of the Proprietors of the
Grimfby Haven Navigation, do hereby nominate, constitute, and ap-
 point *C. H.* of _____ in the County of _____
 to be my Proxy, and in my Name and in my Absence to vote and
 give my Assent or Dissent to any Business, Matter, or Thing relating
 to the said Navigation and Undertaking, that shall be mentioned or
 proposed at any Meeting of the said Haven Company, in such Manner
 as the said *C. H.* shall think proper, according to his [*or, her*] Opinion
 and Judgment, for the Benefit of the said Navigation and Undertak-
 ing, or any Thing appertaining thereto. Witness my Hand the
 _____ Day of _____ in the Year of our Lord

Grimfby Haven Company.

N^oForm of
SECURITY of
Original Share.

THESE are to certify, That *A. B.* of _____ is the
 Proprietor of the Share or Number _____ being One Share of
 the *Grimfby* Haven Navigation, subject to the making more Shares of
 One hundred Pounds each, not exceeding the Number of One hun-
 dred such additional Shares, and to the Rules, Regulations, and Orders
 of the said Company; and that the said *A. B.* his [*her, or, their*] Exe-
 cutors, Administrators [*or, Successors*] and Assigns, is and are entitled
 to the Profits and Advantages of such Share. Given under the Com-
 mon Seal of the said Company, the _____ Day of _____
 in the Year of our Lord

Grimfby Haven Company.

N^oForm of
SECURITY of
Additional Share.

THESE are to certify, That *A. B.* of _____ is the
 Proprietor of the Share or Number _____ being One additional
 Share of One hundred Pounds in the *Grimfby* Haven Navigation, sub-
 ject to the Rules, Regulations, and Orders of the said Company; and
 that the said *A. B.* his [*her, or, their*] Executors, Administrators [*or,*
Successors] and Assigns, is and are entitled to the Profits and Advan-
 tages of such additional Share. Given under the Common Seal
 of the said Company, the _____ Day of _____
 in the Year of our Lord

I *A. B.*

Form of
TRANSFER of
Shares.

I *A. B.* of _____ in Consideration of the Sum of _____ paid to me by *C. D.* of _____
Do hereby bargain, sell, assign, and transfer to the said *C. D.* his [her, or, their] Executors, Administrators [or, Successors] and Assigns Share [or, Shares] being Number _____ in the *Grimby* Haven Navigation, To hold to the said *C. D.* his [her, or, their] Executors, Administrators [or, Successors] and Assigns, subject to the same Rules and Orders, and on the same Conditions on which I held the same immediately before the Execution hereof; and I the said *C. D.* Do hereby agree to accept of the said Share [or, Shares] subject to the same Rules, Orders, and Conditions. Witness our Hands and Seals, the _____ Day of _____ in the Year of our Lord

Form of
MORTGAGE of
Rates.

W_E, the Committee of the *Grimby* Haven Company, by virtue of the Power and Authority to us given, in and by an Act passed in the Thirty-sixth Year of the Reign of His Majesty King *George* the Third, for enlarging, altering, and improving the said Haven, in Consideration of the Sum of _____ to us in Hand paid by *E. F.* of _____ Do hereby bargain, sell, and transfer unto the said *E. F.* his [her, or, their] Executors, Administrators [or, Successors] and Assigns, All and singular the Rates and Duties arising by virtue of the said Act, and also the said Navigation and Undertaking, and all the Estate, Right, Title, and Interest of the said Company in and to the same respectively, To hold to the said *E. F.* his [her, or, their] Executors, Administrators [or, Successors] and Assigns, until the said Sum of _____ together with Interest for the same, after the Rate of _____ per Centum per Annum, shall be fully paid and satisfied. Given under the Common Seal of the said Company the _____ Day of _____ in the Year of our Lord

Form of
IGNMENT of
Mortgage of Rates.

I [or, We] of _____ in the County _____
of _____ in Consideration of the Sum of _____
paid by G. H. of _____ Do hereby transfer and assign
a certain Mortgage made by the Committee of the *Grimby* Haven
Company, bearing Date on the _____ Day of _____
for securing the Principal Sum of _____ with Interest
for the same, and all my Right and Property in and to the said Mort-
gage, and the said Principal Money and Interest thereby secured, unto
and to the only proper Use of the said G. H. his [her, or their]
Executors, Administrators [or, Successors] and Assigns. In Witness
whereof I [or, we] have hereunto set my Hand and Seal [or, our Hands
and Seals] the _____ Day of _____ in the Year of
our Lord _____

Form of
MORTGAGE of
Surplus.

WE, the *Grimby* Haven Company, by virtue of an Act passed in the
Thirty-sixth Year of the Reign of His Majesty King *George* the Third,
for enlarging, altering, and improving the said Haven, in Considera-
tion of the Sum of _____ Pounds to us in
Hand paid by J. K. of _____ in the County of _____
Do hereby bargain, sell, and transfer unto the said J. K. his [her, or,
their] Executors, Administrators [or, Successors] and Assigns, All and
singular the Surplus or Excess of Revenue, or otherwise, of the several
Rates or Duties arising by virtue of the said Act, and also of the In-
terest of the several Sum and Sums of Money now due and owing, or
belonging to us upon Government or any other Security or Securities,
and all our Right, Title, and Interest in and to the same respectively,
after and subject to the Payment and Discharge of Ten Pounds *per*
Centum per Annum upon the several and respective Shares of and in the
said Navigation, and also of all and every the several Annual or other
Rents, Sum or Sums of Money, Dues and Payments charged upon the
said Rates and Duties, or otherwise due and payable by us in Respect
of or on Account of the said Haven, To hold to the said J. K. his
[her, or, their] Executors, Administrators [Successors] or Assigns,
until the said Sum of _____ Pounds, together with
Interest for the same, after the Rate of _____ *per Centum per Annum*,
shall be fully paid and satisfied. Given under our Common Seal, the
_____ Day of _____ in the Year of our Lord _____

I [or,

Form of
ASSIGNMENT of
Mortgage of Surplus.

I [or, We] of in the County of
in Consideration of the Sum of paid by L. M.
of Do hereby transfer and assign a certain Mortgage,
bearing Date on the Day of and made
by the *Grimshy* Haven Company, of the Surplus of the Rates, Duties,
and Monies vested in or belonging to the said Company, for securing
the Principal Sum of Pounds, with Interest
for the same, and all my Right and Property in and to the said Mort-
gage, and the said Principal Money and Interest thereby secured, unto
and to the only proper Use of the said L. M. his [her, or, their] Exe-
cutors, Administrators [or, Successors] and Assigns. In Witness
whereof I [or, we] have set my Hand and Seal [or, our Hands and
Seals] the Day of in the Year of
our Lord

COMMISSIONERS
OATH.

I, A. B. do swear [or, being one of the People called Quakers do
solemnly affirm] that I will, without Favour or Affection, truly and
impartially, according to the best of my Skill and Judgment, execute
the Powers and Authorities vested in me as a Commissioner, by an Act
made in the Thirty-sixth Year of the Reign of His Majesty King
George the Third [*here set forth the Title of the Act*].

So help me G O D.

CONVICTION.

BE it remembered, That on the Day of
in the Year of our Lord A. B. is convicted
before me C. D. One of His Majesty's Justices of the Peace for the
Parts of *Lindsey* [or, Borough of *Great Grimshy*] in the County of
Lincoln [*specifying the Offence, and the Time and Place when and where*
committed, and the Fine, Penalty, or Forfeiture incurred, as the Case may
be] contrary to an Act of Parliament, passed in the Thirty-sixth Year
of the Reign of King George the Third, intituled [*here set forth the*
Title of the Act]. or, contrary to a certain Bye Law or Order of the
Grimshy Haven Company, or, the Committee of the *Grimshy* Haven
Company [*as the Case may be*] by them made in pursuance or by virtue
of the Powers and Authorities to them given and granted in and by an
Act of Parliament, passed in the Thirty-sixth Year of the Reign of King
George the Third, intituled [*Here set forth the Title of the Act*]. Given
under my Hand and Seal, the Day and Year first above-mentioned.

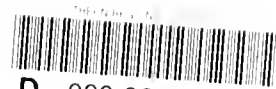
AN
ACT

FOR

Widening, Deepening, Enlarging, Alter-
ing, and Improving the Haven of the
Town and Port of *Great Grimsby*, in
the County of *Lincoln*.

36 Geo. III.
1796.

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